TWENTY-SEVENTH REPORT

ESTIMATES COMMITTEE
(1985-86)

(EIGHTH LOK SABHA)

MINISTRY OF URBAN DEVELOPMENT

[Action taken by Government on the Recommendations contained in the Eighty-Seventh Report of Estimates Committee (Seventh Lok Sabha) on the erstwhile Ministry of Works & Housing—D.D.A.—Part II.]

RC 70883

Presented to Lok Sabha on 27th February, 1986

LOK SABHA SECRETARIAT
NEW DELHI
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CORRIGENDA TO TWENTY-SEVENTH REPORT OF ESTIMATES COMMITTEE (ACTION TAKEN) ON D.D.A. - PART II.

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Page	Para	Line	For	Read
2		last	After 'number of' add 'zones.'	
4		10-11	Delete the words 'for household occupation which they did not consider being licences'	
4		12	Add the words 'licences for household occupation which they did not consider being' Before the words 'of non-conforming'.	
4	1.12	2 from bottom	For 'aproval' Read 'approval'	
6	1.21	2	For 'poulation.' Read 'population.'	

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(1985-86)

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(1985-86)

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9. Shri D. P. Yadav

INTRODUCTION

I, the Chairman of the Estimates Committee having been authorised by the Committee to submit the Report on their behalf present this Twenty-seventh Report on action taken by Government on the recommendations contained in the Eighty-seventh Report of the Estimates Committee (7th Lok Sabha) on the Ministry of Works and Housing—Delhi Development Authority—Part II.

2. The Eighty-seventh Report was presented to Lok Sabha on 24th August, 1984. Government furnished their replies indicating action taken on the recommendations contained in that Report on 5th September, 1985. The replies were examined and draft report adopted by Estimates Committee at their sitting held on 18th February, 1986.

3. The Report has been divided into following Chapters:—

(i) Report

(ii) Recommendations/Observations which have been accepted by Government.

(iii) Recommendations/Observations which the Committee do not desire to pursue in view of Government's replies.

(iv) Recommendations/Observations in respect of which replies of Government have not been accepted by the Committee.

(v) Recommendations/Observations in respect of which final replies of Government are still awaited.

4. An analysis of action taken by Government on the recommendations contained in Eighty-seventh Report of Estimates Committee (Seventh Lok Sabha) is given in Appendix. It would be observed that out of 34 recommendations made in the Report, 14 recommendations *i.e.* about 41 per cent have been accepted by Government and the Committee do not desire to pursue 2 recommendations *i.e.* about 6 per cent in view of Government's replies. Replies have not been accepted in respect of 16 recommendations *i.e.* about 47 per cent. Final replies in respect of 2 recommendations *i.e.* 6 per cent are still awaited.

NEW DELHI;
February 20, 1986

CHINTAMANI PANIGRAHI,
Chairman,

Phalguna 1, 1907 (*S*)

Estimates Committee.

CHAPTER I

REPORT

1.1 This Report of the Estimates Committee deals with action taken by Government on the recommendations contained in their 87th Report (7th Lok Sabha) on the Ministry of Works and Housing—DDA—Part II which was presented to Lok Sabha on 24 August, 1984.

1.2 Action Taken Notes have been received in respect of all the 34 recommendations contained in the Report.

1.3 Action Taken notes on the recommendation of the Committee have been categorised as follows:—

(i) Recommendations/Observations which have been accepted by the Government:—

Sl. Nos. 1, 6, 7, 11, 13, 15, 19, 20, 21, 22, 27, 28, 30 and 34.

(Chapter II—Total 14)

(ii) Recommendations/Observations which the Committee do not desire to pursue in view of Government replies:—

Sl. Nos. 14 and 18.

(Chapter III—Total 2)

(iii) Recommendations/Observations in respect of which Government's replies have not been accepted by the Committee:

Sl. Nos. 2, 3, 4, 5, 8, 9, 10, 16, 17, 23, 24, 25, 26, 31, 32 and 33.

(Chapter IV—Total 16)

(iv) Recommendations/Observations in respect of which final replies are still awaited:—

Sl. Nos. 12 and 29.

(Chapter V—Total 2)

1.4 The Committee will now deal with action taken by Government on some of the recommendations.

Zonal Plans

Recommendation (Sl. Nos. 2, 3 & 4, paras 1.36—1.38)

1.5 The Committee had noticed that the implementation of the Master Plan was tardy as by 15th September, 1983 out of 139 Zonal

plans, only 54 Zonal Plans had been drawn up. 17 Zonal Plans were at that time under consideration of Government for approval under section 9 of the Delhi Development Act, 57 plans were still in the process of modification or screening and 11 plans remained to be modified. Seven of these Plans related to Defence and three related to Railway and one Plan related to rail zone of Delhi. The Committee could not appreciate the argument that failure in this regard had not held up any development as such. Being of the view that the work should have been completed long back, the Committee expressed their displeasure over the tardy progress in this regard. They had hoped that things would be pushed forward with greater speed within a firm time-frame. The Committee also attached great importance to the preparation of Zonal Plans in respect of Railways and urged speedy formulation and execution of these plans.

1.6 The Committee also desired that serious thought should be given to the Zonal Plans for cantonment area in respect of which the Master Plan had not determined the land use. They had recommended that a firm policy should be formulated in the matter and hoped that job would be taken up in right earnest at an early date.

1.7 The Ministry of Urban Development in their reply have stated that the Master Plan for Delhi envisages development of urban areas in 8 planning divisions having 139 zones. The bulk of the zonal development plans in the core areas have been formulated by the DDA except for the zones forming part of the Defence Land and Cantonment area and the land owned by railways (used as part of the operational area) such as Old Delhi Railway Station and New Delhi Railway Station.

1.8 According to the Ministry finalisation of zonal plans is a statutory process under Section 8 of the Delhi Development Act, 1957. Through a public notice, the draft zonal development plan is published inviting objections/suggestions from the public and the concerned organisations. These objections/suggestions are considered by the Screening Board constituted by the DDA and then the recommendations of the Board are considered by the Authority. After the approval of the Authority, the plan and the report are modified and the draft zonal development plan is sent for obtaining the approval of the Central Govenrment. Some of the factors which have slowed the finalisation of the draft zonal development plan according to Ministry, are:—

(i) Large Scale unauthorised constructions in a number of

(ii) Non-formulation or re-development schemes for the Zones forming part of the walled city and other built up areas.

1.9 Replying to the recommendation of the Committee that preparation of Zonal Plans be pushed forward with greater speed within a firm time frame, the Ministry have stated that in the proposed comprehensive amendments to the Master Plan of Delhi which were published on 6-4-1985 for inviting objections/suggestions, a change in the strategy had been proposed for formulation of Planning Divisions and zonal development plans. The urbanisable area of Delhi is proposed to be divided into 15 zones in place of 8 planning divisions. It has been suggested that the zonal plans be prepared only for these 15 zones. The proposed amendments also suggest a mixed land use in the urban areas. After the proposed amendments were processed and notified, action will be taken for the preparation of the zonal plans according to this modified strategy. The preparation of the zonal plans in respect of operational area under railways and the cantonment area would also be taken up as part of the proposed revised concept of zonal plans.

1.10 The Committee are distressed at the unconscionable delay in the finalisation of Zonal Development Plans for Delhi which was a sine qua non of planned development of Delhi under Delhi Development Act, 1957. The Committee fail to understand why even after so many years it has not been possible for the Delhi Development Authority/the Ministry of Urban Development to complete the process enjoined by Section 8 of Delhi Development Act, 1957 for the finalization of Zonal Development Plans. The Committee hardly need stress that without finalisation and publication of the Zonal Development Plans, the orderly and planned development of Delhi is impossible. The present situation where ad hocism holds away leaves scope for corruption and mal-practices and is bound to result in haphazard growth of the city. The Committee would like the Ministry to closely monitor the process of preparation and finalisation of Zonal Development Plans for Delhi with a view to have them finalised as soon as possible, preferably during the year 1986. In this context, the Committee suggest that if the process under Sec. 8 of the Delhi Development Act is dilatory and cumbersome, it should be simplified if necessary by suitably amending the Act. The Committee would like to be apprised of the progress made in this direction within a period of six months.

Reallocation of Industrial Units

Recommendation (Sl. No. 5, paras 1.39 & 1.40)

1.11 The Committee had noted that one of the main objectives of the Master Plan was that pending large scale clearance of old

city it should be decongested *inter-alia* by shifting the industries to other areas within a specified period. Little of the aforesaid objectives were achieved in the last 20 years. Only 3,300 units had been shifted to conforming areas. Shifting of industries out of Delhi had not taken place anywhere near the desired levels. In fact, there was no firm policy in this regard. Nor had any concerted studies been carried out in this direction. Even though it was claimed that such industries as were likely to prove a health hazard were strongly discouraged, it was admitted that MCD|NDMC kept issuing *ad hoc* licences for house-hold occupation which they did not consider being licences to units set up in non-conforming areas. MCD also issued of non-conforming character. The Committee had therefore recommended that if the major objective of preventing a haphazard growth of Delhi was not to be frustrated and the city population was to be saved from health hazard caused by non-conforming industries, a firm long-term policy should be evolved in consultation with all licensing bodies and the same should be implemented in letter and spirit. Effective incentives and desincentives also needed to be evolved to achieve positive results in this direction.

1.12 The Ministry of Urban Development in their reply have *inter-alia* stated that "the observation made in para 1.39 has been noted by all concerned including DDA and Delhi Administration. As regards evolving a firm long-term policy for licensing/locating new industries, the Delhi Administration is coordinating this work. The problem of non-conforming industry is mainly confined to walled city, its extension and Karol Bagh. The DDA have recently published through a public notice, comprehensive modifications to the Master Plan of Delhi with perspective of 2001 inviting objections/ suggestions. These areas have been characterised as special areas in the proposed modifications. The objective of the proposed modifications is to clean this area from noxious and hazardous industries and trades, to check further commercialisation and industrialisation of this area and to revitalise them. This proposed policy, after consideration of objections/suggestions from public/organisations and its aproval by the Central Government, will be implemented by the Administration/concerned organisations."

1.13 The Committee are constrained to observe that the Ministry of Urban Development have dealt with this recommendations in a most casual manner and have completely failed to appreciate the import of this important recommendation. The apprehensions of the Committee, which they had at the time of framing this recommendation, have come true in as much as a tragedy occurred in Delhi recently where the gas leakage from an industry located in a thickly populated area resulted in scores of casualties, many of them fatal. The

Committee feel that the Ministry should have themselves initiated corrective measures, instead of leaving it entirely to the Delhi Administration and DDA. The Committee expect the Government to evlove very urgently a firm long term policy to save the citizens of Delhi from the dangers inherent in the haphazard growth of industries in Delhi. They would like to be apprised of the specific action taken in this matter within a period of not more than 3 months.

Drinking Water Supply

Recommendation (Sl. No. 8, para 1.43)

1.14 The Committee had observed that there had been major shortfalls in supply of drinking water and sewage disposal in the past and the provisioning of these basic amenities had lagged behind the requirements. Drinking water had to be supplemented to some extent by Ranney Wells, tubewells and hand pumps. Satisfaction in regard to sewage disposal had been a mere 15 per cent in the beginning and then it stood at 30 per cent only. While almost the entire population of Delhi was being provided with drinking water to the extent of 303 MGD it was being supplemented by ground water, tubewells and hand pumps. The Committee felt dismayed that when a long term plan was being formulated diffidence was being expressed by the authorities in conceding that "there will definitely be areas where shortfall will be noticed." They strongly urged that adequate measures should be taken to monitor implementation of the plans so as to ensure 100 per cent drinking water supply and sewage disposal by the end of the century for the entire population keeping adequate scope to meet any unexpected rise in population in view of the experiences in the past.

1.15 Ministry of Urban Development have in their reply, stated that the proposed modified Master Plan for Delhi perspective 2001 contained long term proposals for Delhi's water supply and sewage treatment. It was expected that the Tehri Dam in UP and Kishau, Lakshwar and Giri Dams in Himachal Pradesh when completed could provide a major share of Delhi's water requirements upto 2001. Another source could be the exchange of raw-water for treated effluent with Haryana and U.P. The matter had been taken up with the State Governments concerned and the Ministry of Irrigation. However, unless definite commitment was obtained from the concerned State Governments, it would be difficult to ensure 100 per cent drinking water supply by 2001.

1.16 Action was being taken to provide sewage facilities to all residents of Delhi and the sewage treatment capacity was also pro-

posed to be raised to 900 MGD by 2001, which would be almost 100 per cent disposal of the sewage expected to be generated at that time.

1.17 The Committee hardly need stress that 100 per cent drinking water supply and sewage disposal by the end of the century for the entire population of Delhi keeping adequate scope to meet any unexpected rise in population should be ensured and the perspective plans modified accordingly to achieve this end. They would like to be apprised of the definite steps being taken for obtaining commitments from concerned State Governments of Haryana, Uttar Pradesh and Himachal Pradesh, keeping in view the enormity of the problem.

Hospital requirements

Recommendation (Sl. No. 9, Para 1.44)

1.18 The Committee had noted that there had been a major short fall in achieving the targets in regard to hospital requirements in Delhi during the first Master Plan. While even the plan provided for 4 beds per thousand population, the existing ratio was only about 2.5 beds per thousand population. No wonder that extreme shortages were being experienced in most hospitals in Delhi.

1.19 The Ministry have in their reply stated that this observation had been brought to the notice of the Ministry of Health & Family Welfare and Delhi Administration (Medical Department) for taking action.

1.20 The Committee would like to be apprised about the concrete action taken by the authorities concerned in pursuance of their recommendation.

Release of land for Hospitals

Recommendation (Sl. No. 10, Para 1.45)

1.21 The Committee were informed that land was being reserved for hospitals to cater for 5 beds per thousand poulation. In this connection the Committee recommended that all the land required by health authorities for hospitals should be made available to them to enable them to reach the target of 5 beds per thousand population. This should also be viewed in the context of the need for serving the floating population coming to Delhi from places around Delhi and even from far off areas for treatment. The Committee further stressed 100 per cent implementation of the plans in this regard in the context of shortfalls in the past.

1.22 The Ministry have in their reply, *inter-alia* stated that the DDA had made allocation of land for the hospital sites to the Delhi Administration as indicated below:—

(a) Land for Din Dayal Upadhyaya hospital at Hari Nagar.

(b) Land for GTB Medical College-cum-Hospital in Shahdara.

(c) Land for a hospital in Rohini.

Two hospital sites had been ear-marked in Janakpuri and Pitampura.

1.23 The Utilisation of these land sites for hospital purposes would strengthen the facilities for medical treatment for the local residents as well as the floating population coming to Delhi from places around.

1.24 This recommendation had also been brought to the notice of Ministry of Health and Family Welfare.

1.25 The Committee note that according to the existing position there were about 2.5 beds per thousand population against the target of 4 beds per thousand in the Master Plan. Without achieving this target, the standard had been raised to 5 beds per thousand population. In the reply now furnished the Ministry have not indicated the area of land allocation made to Delhi Administration at Hari Nagar, Shahdara and Rohini, nor is it indicated whether the allocation of land is adequate for achievement of the targets laid down in regard to provision of medical facilities. The Committee hope that it is so; otherwise they would emphasise the need for identifying and making available more land as needed to achieve the target.

1.26 The Committee note that the two hospital sites have also been carmarked in Janakpuri and Pitampura but they fail to understand the delay in allocating the land to the concerned authorities. The Committee recommend that immediate steps be taken in allocating the required land for the construction of hospitals in all these areas. Urgent action is also required in the construction of hospital buildings and equipping them adequately.

Prices of land and auction of Plots

Recommendation (Sl. No. 16, Para 2.46 & 2.47)

1.27 The Committee had in their recommendation observed as follows:

"The Urban land policy was enunciated in 1961 especially with

a view to 'introducing measures of control on land values and stabilising land prices in urban areas of Delhi'. In actual practice, however, DDA had tended to violate the policy in every possible manner. Apart from slow development of land, the methodologies adopted in disposal of land had contributed fully towards phenomenal price rise and the land value as seen in three years. Upto 30th September, 1983, 9849 plots above 200 square yards measuring over 619 acres of land which forms quite a big chunk of the developed land, had been put to auction as a conscious decision. This single action violated the basic policy enunciated in this regard. DDA followed the methods of the erstwhile colonisers, whose speculative activities they were required to put an end to. Plots were deliberately released in smaller numbers at a time to fetch higher and still higher prices. This led to shooting up of price."

1.28. The formula adopted for arriving at pre-determined prices of land for sale had also led to the same results. Land values at pre-determined rates had gone up 10 times in the last 10—12 years. Pre-determined rates which ranged between Rs. 36 to 55 for LIG and Rs. 46 to 72 for MIG in 1970 had risen Rs. 260 to Rs. 360 for LIG and Rs. 354 to 418 for MIG in 1981. It was found on analysing the pre-determined rates for areas in South Delhi that while the cost of land at pool rates had risen from Rs. 19 in 1977 to Rs. 29 in 1979 and 1981, the development charges had shown phenomenal increase from Rs. 40 in 1977 to Rs. 240 in 1981. The Committee wonder how the development charges could escalate to such an extent in a period of 4 years. In addition to other charges like overhead and deficiency charges, 100 per cent cost at pool rates was added for sales of plots to MIG at pre-determined prices. As if this was not enough an equalisation charge at the rate of Rs. 100 was being charged in South Delhi which meant that the man purchasing a piece of land in South Delhi had to pay a part of the land value for those purchasing in other colonies. Most of these charges were unjustified and unauthorised, arbitrary, excessive, smacking of profiteering, and in violation of enunciated policy tantamounting to looting the public. Expert bodies who had examined these aspects of disposal of land by DDA had come to the same conclusion. The Committee strongly recommended that

policies adopted by DDA in disposal of land should be re-examined by an outside body of expert with a view to eliminating profiteering and levying of unjustifiable charges."

1.29 The Ministry of Urban Development in their reply have stated as follows:

"The observation of Estimates Committee that large portion of developed land had been put to auction by DDA resulting in upward trend in land prices is not borne out by facts. The total area of land auctioned by DDA comes only to 619 acres as against about 23,000 acres of land utilised for residential purposes. The lands for residential purposes have been allotted, by and large, on pre-determined rates consisting of the cost of acquisition, development charges and additional charges at fixed rates. The pre-determined rates at which allotment is made to persons belonging to MIG, may be a little higher than the rates of premium fixed for plots allotted to the persons of LIG. The scheme of Large Scale Acquisition, Development and disposal of land in Delhi stipulates that as a general policy, disposal of developed land should be made by auction and the premium should be determined by the highest bid except in certain cases where the land may be allotted at pre-determined rates. The pre-determined rates consist of the cost of acquisition and development plus additional charges fixed for different slabs as prescribed in the scheme itself.

1.30 The 'pre-determined rates' have also been defined in Rule 2(2) of the Delhi Development Authority (Disposal of developed Nazul Land) Rules, 1981. According to this definition, the pre-determined rates are the rate of premium chargeable from different categories of persons and determined by notification, from time to time by the Central Government having regard to (a) the cost of acquisition, (b) development charges, and (c) concessional charges for use and occupation fixed for different slabs of residential and industrial plots. The pre-determined rates for the persons belonging to middle income group may be higher than the rates of premium fixed for plots allotted to the persons in the low income Group. There was also a provision in the rule that in fixing the pre-determined rates of premium, the Central Government may fix a higher rate of premium

for plots situated on main roads, corners of two roads or at other vantage positions, than the rates of premium fixed for plots situated far away from the main roads.

1.31 DDA has intimated that the following charges are also added to the cost of development while calculating the development charges:—

(a)	Beautification/green area Charges . .	These charges are added at the rate of Rs.2/-per sq. yd. of the gross area.
(b)	Urban/Village Development Charges . . .	These charges are added at the rate of Re.1/-per sq. yd. of the gross area.
(c)	Zonal Road Charges . . .	These charges are added at the rate of Re. 1/-per sq. yd. of gross area.

1.32 In addition to the charges prescribed under the scheme/rules, DDA also levied equalisation charges at the rate of Rs. 100/- per sq. mtr. for the areas in South and Central Delhi and Rs. 50/- per sq. mtr. for the areas in West and North Delhi to cover the extra cost for development inclusive of the charges incurred on bringing the services from long distance etc., to East Delhi and other areas. These charges are also levied for making temporary arrangements for services like water and sewer.

1.33 Observations of the Estimates Committee that the levy of equalisation charge was unjustified, unauthorised, arbitrary, excessive and smacking of profiteering do not appear to be justified on an appreciation of the complete background of the principles behind this policy. On account of acute scarcity of land in Delhi, DDA is required to develop certain pockets of land and provide peripheral services in rocky areas or in the areas having quarry pits where substantial extra cost was involved in levelling, dressing, excavation of rocks etc. It is a well-known fact that the development of land in undeveloped and far off areas where the cost of peripheral services and internal services are higher *vis-a-vis* similar services in more developed land, calls for higher financial outlays. Similarly in certain areas, the cost of development is much higher on account of longer leads of bulk services, necessity of making interim arrangements, poor soil conditions and terrains being rugged and undulating. DDA incur lower cost of services for developed areas which are more

popular as compared to less developed areas. If the actual cost of development is charged in all the areas including the far off areas where consumer preference is very low, the consumers will have to pay much higher prices in the far off localities (where Janta and EWS houses are constructed) than in the preferred areas. In order to ensure uniform development of all the localities, the device of equalisation charges has been introduced by DDA, with a view to provide for an adjustment by which additional charges are realised from persons who can afford to bear the cost, in order to subsidise the cost of housing in EWS and Janta categories. The levy of equalisation charges is intended to help the weaker sections of the society opting to move out to newly developed areas.

1.34 While fixing the pre-determined rates, DDA ensures that the cost of development is equalised without keeping any margin of profits. The recorded views of former Vice-Chairman, DDA justifying the levy of equalisation charges are given in the *annexure I.*

1.35 Sometimes back a Committee of experts was appointed by the Central Government, known as 'Baweja Committee', to go into the working of DDA. The Committee did not make any specific recommendation in regard to the fixation of pre-determined rates. As such there appears to be no need for reviewing the formula for fixation of pre-determined rates, nor for an outside body of experts to go into the matter.

1.36 The reply of the Ministry to the recommendation of the Committee makes a sordid reading. The scant justification put up for different elements adding up to the pre-determined rates at the existing level is not at all convincing and the Committee find no reason to detract from their earlier observation that "most of these charges are unjustified, unauthorised, arbitrary, excessive, smacking of profiteering, and in violation of enunciated policy tantamounting to looting the public." . . .

1.37 The Committee are unable to appreciate the view that since Baweja Committee did not make any specific recommendation in regard to the fixation of pre-determined rates "there is no need for reviewing the formula for fixation of pre-determined rates, nor for an outside body of experts to go into the matter." In fact the absence of any definite recommendation on the subject by the Baweja Committee should be a sufficient justification for this aspect of the matter being examined in depth by an outside body of experts as suggested by the Committee in their earlier recommendation.

1.38 The Committee are inclined to give to what is described as "recorded views of former Vice-Chairman of DDA." Justifying the levy of equalisation charges, no more weight than a statement by an official of the DDA justifying the existing state of affairs. The Committee are not convinced with the views expressed by the DDA. official and would like this matter also to be gone into in detail by the Committee of outside experts to be appointed in pursuance of the recommendation of the Committee.

1.39 The Committee trust that the Ministry of Urban Development would apply themselves to the recommendation made by the Committee independently and not be guided by DDA which is an interested party and appoint an outside body of experts to go into the various charges levied by the DDA while disposing of the land, as recommended by the Committee earlier.

Payment of price of land after acceptance of bid

Recommendation (Sl. No. 17, Para 2.48 & 2.49)

1.40 The disposal of land by auction was governed by Rule 29 of the Land Rules 1981 which provides that "the highest bidder whose bid has been confirmed shall pay the balance amount to the authority within fifteen days of acceptance of the bid or within such period as the Vice-Chairman may specify in the public notice under Rule 27 or in other public notice." From the data furnished to the Committee it was seen that of about 2350 plots (commercial), industrial, residential in 1793 cases the parties made full payment within the stipulated time. In remaining 557 cases the payments were received belatedly. Evidently in cases where delays had taken place the discretion available to Vice-Chairman under Rule 29 had been made use of. Although DDA did not incur any loss thereby as they charged the bank rate of interest for the period of delay (which often ranged betwen 3 to 4 months), the Committee noted that no uniform policy had been followed in the matter in the absence of any guidelines laid down in this behalf. A tendency was seen among some bidders that after the expiry of the relaxed period they again made representation to Government and were thus able to extract further time relaxation which was not desirable. It was possible that some bidders did not bid precisely because they thought that it would be difficult for them to procure the balance amount within the stipulated period. This was against fair competition. Further in a matter of exercise of discretion there was always a scope for malpractices.

1.41 The Committee recommended that suitable guidelines be evloved in this regard so that the prospective bidders were clear

about the consequences they might have to face in cases of delay in making payment.

1.42 The Ministry in their reply have stated that the existing Rules were very explicit and laid down clearly the consequences which the bidders had to face in the event of any delay in making the payment of the balance of the bid amount. However, keeping in view the fact that DDA/Government might like to relax these rules in deserving cases, the Government were considering amendment of the provisions of the Delhi Development Authority (Disposal of Developed Nazul Land) Rules, 1981 suitably to give limited powers to the Vice-Chairman, DDA for granting extension of time for payment of balance premium by the successful bidders.

1.43 The reply of the Ministry of Urban Development was finalised in August, 1985 and furnished to the Committee in September, 1985. The Committee would like to be informed whether the amendments to the provisions of the Delhi Development Authority (Disposal of Developed Nazul Land) Rules, 1981 empowering the Vice-Chairman of DDA to grant extension of time for payment of balance premium by the successful bidders in deserving cases, have since been promulgated.

1.44 The Committee would also like this position to be incorporated in the tender forms for the auction of land.

Costs of flats

Recommendation (Sl. No. 23, Para No. 3.56)

1.45 From the data furnished by the Ministry/DDA and analysed in this Report it was seen that the escalation in the prices of flats had been so fast during the last ten years that it had risen three times in case of MIG and 5½ times in case of LIG and 3 times in case of Janta Categories. It was noted that the price range for Janta flats in 1982-83 was at the level of prices prevailing for MIG flats in 1972-73 with one third of the plinth area of MIG flats at that time. In the words of the Expert Committee (1978) the prices had reached a point where the people of the economic group for whom the flats were meant could not afford them. In this connection the Committee found that a Committee was appointed for Review of Specifications and Planning of Economy of cost structure of House by the Vice-Chairman, DDA. The Committee found that this Committee had made an attempt to reduce costs of flats by compromising on quality and comfort. The Committee deplored this approach of DDA in the matter and desired the Ministry/DDA to try to find the solution of the matter by streamlining the organisation of DDA reducing wastage, avoiding uneconо-

mic purchases and by reducing the overheads and cost of land development by eliminating arbitrary and unauthorised charges pointed out by the Committee elsewhere. The Committee strongly urged upon Government to give serious thought to the matter so that the objective of providing houses at an economic cost which was the main plank of policy of Government was achieved in the concrete sense of the term.

1.46 The Ministry in their reply have stated "noted for compliance by the DDA."

1.47 The Committee would like to be apprised of the concrete steps taken in the matter.

Quality control

Recommendation (Sl. No. 24, Para No. 3.57)

1.48 The Committee had already pointed out in their 85th Report the quality-wise deplorable state of houses constructed by DDA. A series of collapses of the houses constructed took place resulting also in loss of some lives. According to the Report of the Committee appointed by Government recently it was found that over 5000 houses constructed by DDA in recent years were "not structurally sound" and the quality of another 5000 was found to be "very poor". That Committee had pointed out that "it was not possible to obtain structural strength and durability in these houses which they would have got if the initial construction was sound." The Committee appointed by Lt. Governor as well as this Committee had in its 85th Report suggested some remedies. In addition, the Committee were of the view that one of the factors responsible for low quality control was the lack of responsibility therefor at the higher levels. The Committee were informed that the responsibility for quality control had not been laid down specifically on the higher levels of the engineering heirarchy such as the Superintending Engineer, the Additional Chief Engineer and the Chief Engineer. The Committee were of the view that unless responsibility was specifically laid down on these officials no worthwhile results were likely to be achieved. If only speed and coordination aspects were to be watched at these levels, such duties could well be performed by non-technical officials. The Committee recommended that Government should examine this aspect of the matter in depth and initiate appropriate steps to ensure that such responsibility was laid down clearly and specifically at all levels including the Superintending Engineer, Additional Chief Engineer and Chief Engineer.

1.49. The Ministry of Urban Development in their reply have *inter-alia* stated as follows:

> "Duties and responsibilities of various Engineering Officers have been clearly spelt out in the CPWD 'D' & 'A' codes extracts of which are given in the Annexure II and these have been adopted in DDA also. The rules and regulations incorporated in these codes have been formulated on the basis of long experience over several decades of the working of the premier Public Works Department after taking into account the various aspects of actual functioning in the field. Responsibilities of individual officers have to be laid down on the basis of various duties and functions entrusted to them, magnitude of their field of operations, time and attention which can possibly be devoted by officers at different levels to a particular work etc., etc. DDA, therefore, considers that the existing provisions in the codes and manuals laying down the responsibility at various levels, are quite adequate."

1.50 The Committee do not agree with the arguments advanced that "the existing provisions in the codes and manuals laying down the responsibility at various levels are quite adequate." As admitted by the Engineer Member, DDA during evidence, the responsibility for quality control has not been laid down so far as Chief Engineer, Additional Chief Engineer and Superintending Engineer are concerned. Unless these functionaries at higher levels are made specifically responsible, the Committee do not feel that quality control can be maintained. These engineers should go around and inspect the big projects at regular intervals. The Committee, therefore, reiterate their earlier recommendation that responsibility of quality control should be clearly and specifically laid down at all levels including high levels of engineering heirarchy. There are adequate grounds for a different scale of responsibility being cast on the SE, ACE and CE of DDA, as the houses constructed by DDA are for sale and maintenance of the houses is the responsibility of the allottee whereas CPWD maintain all the buildings and houses constructed by it.

Guarantee period for Quality Control

Recommendation (Sl. No. 25, Para No. 3.58)

1.51 According to the then existing rules DDA was responsible for defects in the flats brought to its notice within 3 months. A

structural defect was the responsibility of DDA and the purchaser could point out any time minor defects for which DDA was bound for six months. Since the purchase of a house involved commitment of the life time savings of a purchaser, the Committee felt that 3 months or even six months was too short time for DDA to relinquish its responsibility for any latent defects. The Committee suggested that the time limit in this regard should be extended to cover atleast two monsoon seasons following the allotment of the House.

1.52 The Ministry of Urban Development in their reply have stated that:

> "day to day maintenance and repair of houses are to be done by the allottees themselves or by their Welfare Agencies. Any defects that crop up due to lack of repair of the houses, is also the responsibility of allottees. It will, therefore, not be justifiable to extend the time limit for responsibility for rectification of the defects to two monsoon seasons. The existing limit of six months for rectifications of the defects is considered quite appropriate and adequate.

1.53 The Committee had recommended the extension of the period of responsibility of DDA for removal of defects in the flats allotted by the DDA from six months to a period covering at least two monsoon seasons following the allotment of the house. The reason for this recommendation was that some of the latent structural defects in the house would be visible only after the house has undergone the brunt of monsoons. The Committee therefore, reiterate their earlier recommendation with the modification that DDA should be made responsible for removing defects in the flat within a period of six months from the date of handing-over of possession or the expiry of the monsoon season following the handing-over of possession, whichever is later.

Designs and Engineering

Recommendation (S. No. 26, Para No. 3.59)

1.54 The Committee were surprised that while DDA was building thousands of houses in Delhi and proposed to build houses on a much larger scale in the years to come, yet no study had been made to see whether architectural designs used in construction of houses for various income groups were attractive and functionally suited to the cultural background of an average Indian family, suiting also

the climatic conditions prevailing in Delhi. The Committee were of the view that this should have been the starting point of the house building activities taken up by DDA. The Committee recommended that such a study should be undertaken by an expert team with which representatives of the Delhi Urban Arts Commission and some reputed coloniers should also be associated.

1.55 Ministry of Urban Development in their reply have stated that the recommendation of the Committee for conducting study of the houses has been accepted by DDA.

1.56 The Committee would like to know whether an expert team, as recommended by them, has since been constituted. The Committee would also like to be informed about the composition of the expert team and the work done so far by them.

Corruption Charges

Recommendation (Sl. No. 31, Paras 4.20 & 4.21)

1.57 A glaring example of the extent to which DDA can go to shield their official was provided by the case of an Additional Chief Engineer of DDA. While acting as an Arbitrator this officer was stated to have awarded Rs. 2.62 lakh to a contractor without giving proper opportunity to the respondent (DDA). Though Chief Legal Advisor of the DDA himself was of the opinion that the said officer's conduct as an Arbitrator amounted to gross misconduct, no action was taken against him. In another case, works regarding construction of 120 LIG houses in Tamoor Nagar and 180 MIG houses in Phase III Ashok Vihar executed under the supervision of same officer were, on inspection found to be defective and sub-standard in many respects. He was placed under suspension but later on the order of suspension was revoked by the Central Government on 27-12-1979 on the plea that it was not clear whether the Vice Chairman of D.D.A. or even the Lt. Governor was competent to suspend him. Central Vigilance Commission had advised major penalty proceedings against the same officer for lapses while working as Executive Engineer in Municipal Corporation. However, when MCD closed the cases against their own officials who were involved in these lapses along with this officer, MCD, suggested the closure of cases against him as well. DDA thereupon requested the CVC to treat the case against this officer as close but CVC did not accept this stand and mentioned that in view of DDA's reply, they would be constrained to include in their Annual Report this case as a case of non-acceptance of Commission's advice. Even this mild warning had no effect on DDA who approached the CVC again to reconsider the matter. CVC reiterated its stand and stuck to its ground. What

was more amazing was that even after Lt. Governor had passed orders on 14-7-1983 for initiating major penalty proceedings, DDA did not do so on the plea that the officer had represented against the proposed proceedings. The Committee observed that these developments clearly showed that if corruption had stuck deep roots in DDA, it was no wonder, DDA had itself to blame for it. Unless DDA stopped shielding its officers in their acts of omission or Commission, corruption could never be eradicated.

1.58 The Committee desired to be informed of the progress of the proceedings against this officer (a) in the case pertaining to his role as arbitrator, (b) in the case where certain works carried out under his supervision were found defective and sub-standard and (c) in the case pertaining to the period when he was an Executive Engineer in the Delhi Municipal Corporation.

1.59 The Ministry of Urban Development, in their reply, have stated as follows:—

"(a) *Role of the Officer concerned as arbitrator*

The Delhi Development Authority have informed that the entire issue has been examined and it has been found that the conduct of the arbitrator was also one of the issues framed by the High Court in an appeal filed by them (DDA), against the decision of the arbitrator. The Hon'ble High Court held that the award was made a rule of the Court and it was specifically held that the Arbitrator had not misconducted himself and the various claims awarded by the Arbitrator were justified on merits and the material available on record.

(b) Defective and sub-standard works carried out under the supervision of the officer

1.60 DDA have informed that the draft charge-sheet has already been submitted to the competent authority for approval.

(c) Case pertaining to the period the officer was an Executive Engineer in Delhi Muncipal Corporation:—

1.61 The Government has requested the Chief Vigilance Officer, Delhi Development Authority to expedite serving of charge-sheet without any further delay.

1.62 The officer concerned has obtained a stay from the Court against taking any action against him in respect of case mentioned against (b) and (c) above."

1.63 The Committee realise that in view of the stay order obtained by the involved officer, it may not be possible to take action against that officer unless the stay is vacated. However, there would appear to be no bar to initiating proceedings against the officer and establishing his guilt. Simultaneously, the Committee would expect the Government to take necessary action for getting the stay order vacated. The Committee would like to be apprised about the progress in this case contemporaneously.

Revaluation of House built by Director (Personnel), DDA

Recommendation (Sl. No. 32, Para Nos. 4.22 & 4.23)

1.64 The Committee could not look with equanimity the fact that when the house built by the Director (personnel) (originally assessed Rs. 1.18 lakhs by a private valuer and accepted by Delhi Administration & Income Tax Department as such) was, at the instance of the Committee, reassessed by CPWD as Rs. 1.40 lakhs the Secretary DDA went out of the way and made several written representations to the CPWD with a view to have the value of the house reduced to which the CPWD did not react favourably. The Committee failed to understand why the Secretary, DDA took undue interest in this case and took upon himself a role which more appropriately laid with the aggrieved party, that is the Director (personnel) himself.

1.65 The Committee had received representations alleging that in building his house the Director (Personnel) of the DDA indulged in corrupt practices by accepting help in the shape of men and material from a senior officer on the engineering side of the DDA in return for favours shown to him in administrative matters. Besides, despite revaluation of his newly constructed house done at the instance of the Committee, the Committee had a lurking doubt about the genuineness of the value (Rs. 1.40 lakhs) attributed to the house. In these circumstances the Committee would like the investigation in this case to be entrusted to the Central Bureau of Investigation.

1.66 The Ministry of Urban Development in their reply have stated that: "the Secretary, DDA did not take undue interest in this case, as it was the Vice-Chairman who desired him (Secretary) to make a back reference to the SE, CPWD. As the Secretary is the Authorised Officer for the submission of replies to various Parliamentary Committees of the Central/State Governments, the Secretary of the Organisation, merely conveyed the views of the DDA in the case of Shri A. K. Paitandy.

1.67 According to the assessment made by the DDA, there appears to be no scope to doubt the initial valuation report accepted by the competent authority and Income Tax Authorities because of overwhelming evidence as detailed below:—

1. Consistency between the original estimated cost and the final valuation;
2. The completion of the super-structure of the house by the first week of April, 1981 when the rates of the materials had not registered any unusual increase;
3. Vertical construction on a small plot of 125 sq. yds.;
4. The fact that cost on account of sanitary and electrical installations is not normally as high as 25 per cent;
5. Varying nature of market rates not always conforming to the standard rates mentioned in the DSR, and
6. the absence of a fixed amount to development charges in case of private societies.

1.68 DDA is also reported to have checked and examined the records in detail and these do not indicate that Shri Paitandy has shown favour to anyone in the absorption issue. There appears to be no occasion for this Ministry to doubt the objectivity and integrity of the former Director (Personnel) in administrative matter."

1.69 The Committee find it interesting to learn that it was not the Secretary DDA who took "undue interest" in furthering the cause of the Director (Personnel) but he did so at the instance of the Vice-Chairman, DDA. It is a sad reflection on the state of affairs in D.D.A.

1.70 The Committee would not insist on reference of the case of Shri A. K. Paitandy, Director (Personnel) to the CBI. They would nevertheless like to emphasise that persons in high places in public organisations and holding positions of influence and authority should be discrete and cautious in their conduct as not to invite any insinuation of malafide actions.

Malpractices by Officials

Recommendation (Sl. No. 33, Para No. 4.24)

1.71 The Committee came to know that even where DDA did take some action against its officials, it was not commensurate with the gravity of the offence committed. To quote only one example,

DDA's Assistant Director (Horticulture) was found to have purchased sub-standard and motheated "ballis" to provide fencing in Janakpuri area. Deputy Director (Horticulture) was responsible to carry out a sample check of the "Ballis" in question. Both were let off with a recordable warning. In another case, Deputy Director (Horticulture) alongwith an Accountant were found to have changed the rate from 60 per cent to 96 per cent both in the Tender Form and the Tender opening Register in connection with the work relating to water supply lines for Pitampur District Parks. In this case too only recordable warnings were issued. In yet another case, the same officer was alleged to have been responsible for lifting on earth from a site in Rohini Project substantially and unauthorisedly. Major penalty proceedings were stated to be already in progress. Meanwhile 8 more complaints were stated to have been received against this very officer. The Committee recommended that an officer against whom persistent complaints were being received should be dealt with sternly. Such an officer does not deserve any leniency.

1.72 The Ministry have stated in their reply that "the recommendations of the Committee have been noted."

1.73 The Committee would like to be informed of the result of the major penalty proceedings instituted against the Asstt. Director (Horticultures) D.D.A.

Implementation of Recommendations

1.74 The Committee would like to emphasise that they attach the greatest importance to the implementation of recommendations accepted by Government. They would, therefore, urge that Government should keep a close watch so as to ensure expeditious implementation of the recommendations accepted by them. In cases where it is not possible to implement the recommendations in letter and spirit for any reasons, the matter should be reported to the Committee in time with reasons for non-implementation.

1.75 The Committee desire that reply in respect of the recommendations contained in Chapter V of the Report may be finalised and final reply of the Government furnished to Committee expeditiously.

CHAPTER II

RECOMMENDATION/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY GOVERNMENT

Recommendation (Sl. No. 1, Para 1.35)

DDA was set up in 1957 as a single authority for the entire Delhi region with a view to meeting the massive challenge of rapid urbanisation and preventing haphazard growth, and with a view to achieving these objectives immediately after its being set up, the authority embarked upon the task of formulation of the Master Plan. The Committee has reached the conclusion after detailed discussions with the representatives of the Ministry of Works and Housing and DDA that formulations of the Master Plan and implementation of the objectives of the Master Plan has been sluggish and half hearted. According to an assessment of a former Vice-Chairman of DDA the extent of execution of the Master Plan had been only 50 per cent. While it may not be true in precise quantitative terms that implementation of the Plan has been 50 per cent, the gaps have nevertheless remained substantial and this fact has been admitted by the representative of the Ministry during evidence before the Committee. The Master Plan involved development of land for residential, industrial, horticulture and commercial purposes and in all these sectors development has not been achieved in full. Achievement in regard to development of land for residential purposes has been 75 per cent and in case of land for industrial purposes the achievement has been only 50 per cent. While the Committee are not aware of the DDA's achievements in regard to development of land for commercial and horticulture purposes, overall shortfall in these two areas have been to the tune of 76 and 71 per cent. The Committee has already emphasised the need for accelerated development of land in Part I of their Report on the subject. They would reiterate here that this objective of the Plan should be attended to with redoubled effort now to meet the massive challenges ahead.

Reply of Government

The observations made in this para have been noted and also brought to the notice of the Delhi Development Authority.

2. Delhi Development Authority have developed green areas over the land measuring 14,709 acres. This includes district and

regional parks measuring 7,209 acres and zonal parks, neighbourly parks and colony parks measuring 7,500 acres. Besides the DDA, MCD, NDMC, CPWD and Archaeological Department have also developed the green areas. In the commercial sector the allocation of land for the district centres taken up for development are indicated below:—

District Centre	Area in Hectares
Nehru Place	38·20
Rajendra Place	9·31
Bhikaji Cama Place	14·16
Janakpuri	14·97
Laxmi Nagar	12·95
Shivaji Place	22·60
Jhandewalan	12·97

Out of these 3 district centres, namely Nehru Place, Rajendra Place and Bhikaji Cama Place have been almost fully developed and the 3 others, namely, Janakpuri, Laxmi Nagar and Shivaji Place are in the process of development. Delhi has already one lakh retail shops at the rate of 18.25 shops per thousand population located in about 100 markets of varying areas and scattered all over the city.

3. The DDA have already drawn up comprehensive proposals to modify the Master Plan with a perspective of the Year, 2001 to meet the requirements of additional population which is anticipated to reach the level of 122 lakhs by the end of this century. The proposed modifications were also publicised by the DDA on 6-4-1985 inviting objections and suggestion from the public. These are being processed.

4. These proposed modifications in Master Plan for Delhi have taken into account the short-falls in the objectives of existing Master Plan of Delhi, 1962 and has projected the requirements for development of land for residential purposes, industrial purposes, commercial purposes and horticultural purposes to meet the requirement of an urban population level of 122 lakhs.

[Ministry of Urban Development O.M. No. H-11013/10/83-DDVA (Vol. V) dated 5-9-1985]

Recommendation (S. No. 6, para 1.41)

Another important objective of the Master Plan was that the future growth of Delhi should be linked with neighbouring areas, keeping in view the socio-economic geographical and cultural unity and ring towns, viz., Narela, Gurgaon, Ballabhgarh, Faridabad, Ghaziabad and Loni should be developed as a part of overall metropolitan areas. It has been conceded by the Member Planning, DDA, that implementation in this regard has been tardy. The Master Plan had envisaged the population of Delhi to reach 46 lakhs by 1981 (while in reality, it turned out to be 58 lakhs) and enjoined upon the authorities to have a close look at heavy industries and employment generating areas. While the ring towns took more or less a normal growth of 7 lakh additional population Delhi did not conform to the targets and maintained 57 to 60% growth rate per year. The point, however, is that population even in ring town has got to be restricted to a certain level and counter-magnets need to created outside the National Capital Region. Therefore, if population of Delhi has to be restricted to a level of 12 million by the end of the century a close look has to be taken at future course of development and creation of employment opportunities by setting up proper industrial centres out of Delhi and even outside the capital region so as to create counter-magnets good enough to attract large chunks of population away from Delhi and even the Ring Towns.

Reply of Government

The recommendations made by the Committee are being given due consideration while preparing the NCR Plan. In fact, a High Powered NCR Board has been constituted for the preparation of the plan for the development of the NCR and for coordinating and monitoring the implementation of such plan and for evolving harmonised policies for the control of land uses and development of infrastructure in the NCR so as to avoid any haphazard development of that region and for matters connected therewith or incidental thereto.

[Ministry of Urban Development O.M. No. H-11013/10/83-DDVA (Vol. V) dated 5-9-1985]

Recommendation (S. No. 7, Para 1.42)

The Committee wish however to stress that any programmes once chalked out have to be carried out in right earnest duly supported by financial provisions. Plan allocations in this regard have been

meagre in the past. This matter needs to be seen in the right perspective and financial constraints should not henceforward stand in the way of development.

In this connection the Committee welcome the setting up of a High Powered Board for the National Capital Region and hope that they will use their good offices in accelerating formulation and implementation of coordinated development programmes in this regard.

Reply of Government

The matter has already been taken up by the Ministry with the Planning Commission, State Governments and the Central Ministries concerned to ensure that adequate financial provisions are included in the Seventh Plan for executing National Capital Region schemes.

[Ministry of Urban Development O.M. No. H-11013/10/83-DDVA (Vol. V) dated 5-9-1985]

Recommendation (S. No. 11, para 1.46)

In the context of rising population in the capital, traffic bottlenecks have been experienced from time to time and a number of flyovers have been built in the city to meet those contingencies. A great deal of effort came forth during Asiad. Some more programmes by way of widening the existing bridges and construction of more bridges at various places are being thought of . The Committee recommended that a detailed assessment of the requirements may be undertaken. Keeping in view the long term requirements in this regard and steps taken to implement such programmes in a phased manner.

Reply of Government

In the context of the preparation of the perspective plan for Delhi, 2001, traffic and transportation requirements have been assessed by the DDA and an approach has been formulated.

2. To ease up the flow of traffic in Delhi and to avoid blockade at railway crossings, it has been proposed to widen and improve the existing 13 rail-road crossing bridges. There are also proposals to construct 11 new rail-road crossing bridges in Delhi & to construct grade separators at all important crossings.

3. This programme to improve traffic conditions in Delhi will have to be taken up in a phased manner over a period of time and will be

helpful in improving the traffic and transportation net-work for the expanding city.

[Ministry of Urban Development O.M. No. H-11013/10/83-DDVA (Vol. V) dated 5-9-1985]

Recommendation (Sl. No. 13, Para 2.43)

One of the important reasons leading to slow development of land in Delhi has been excessive intervention by courts staying the acquisition proceedings. The Committee would like Government to examine how for intervention by court could be minimised.

Reply of Government

Delhi Administration have intimated that as compared to the area of the land acquired by them, the land involving Court stay orders is not considerable. Every effort is being made by the Delhi Administration to get the stay orders vacated. The suggestion of Estimates Committee has, however, been noted.

[Ministry of Urban Development O.M. No. H-11013/10/83-DDVA (Vol. V) dated 5-9-1985]

Recommendation (Sl. No. 15, Para 2.45)

Crucial to the whole problem also is the twin problem of inadequate and belated payment of compensation. When land is acquired at the rate of Rs. 5 to 15 per sq-yard and Rs. 10 to Rs. 25 per sq. yards and sold out in auction at the rate of thousands of rupees per sq. yd., the feeling of heart burning amongst those whose land has been acquired is quite natural. The Committee note that a bill aiming at finding a solution to these problems is under consideration of Government. The bill was brought before Parliament but withdrawn subsequently to be amended in the light of suggestions received from various quarters. The Committee hope that the best will be made of this opportunity and the bill will be made more realistic providing for adequate compensation for the acquired land and its expeditions finalisation and payment.

Reply of Government

The Land Acquisition Act, 1894 was amended in the Monsoon Session of the Parliament last year to provide for a number of additional benefits to the persons whose land is acquired for public purposes. According to the amending Act, the rate of solatium has been raised from 15% to 30 per cent of the market value of the land

in addition to the interest calculated at the rate of 12% per annum from the date of notification under Section 4 to the date of award of the collector or the date of taking possession of the land, whichever is earlier. In case of amount of compensation is contested and is enhanced by the Court, the rate of interest payable on such enhanced amount has also been increased from 6% to 9 per cent if the excess amount is paid within a period of one year from the date of taking possession and at the rate of 15 per cent annum beyond the period of one year. It has also been provided that land acquisition will be completed within 3 years of the notice under Section 4 (i) of the Act as against no such provision available in the old Act of 1894.

[Ministry of Urban Development O.M. No. H-11013/10/83-DDVA (Vol. V) dated 5-9-1985]

Recommendation (Sl. No. 19, Para 2.51)

A case study made by the Committee has confirmed that considerrable delays are taking place in the allotment of alternative plots in lieu of land acquired by the Delhi Administration. In one case, the person whose land was acquired in 1962, is even after 22 years, awaiting allotment of an alternative plot. The Committee are not convinced of the reasons advanced for keeping his case pending for so long and desire that the case should be decided on merits without any further delay.

Reply of Government

Delhi Administration have observed that the Committee has presumable referred to the allotment of Industrial plot to Delton Cable Pvt. Ltd. They have explained that application for alternative plot was received by Delhi Administration from this Company only in July 1971. The case was recommended by the Land & Building Department to the DDA in late seventies. On the orders of the former Lieutenant Governor of Delhi in the year 1982 the case was kept pending subject to clearance of the vigilance inquiry against the officer concerned. Final decision will be taken by the Delhi Administration only after the result of investigation becomes available to them. The Central Vigilance Department has since completed the inquiry. A final view regarding allotment of alternative plot will be taken by the Land & Building Department shortly.

[Ministry of Urban Development O.M. No. H-11013/10/83-DDVA (Vol. V) dated 5-9-1985]

Recommendations (Sl. No. 20, Para 2.52)

The Committee also recommend that all such cases for allotment of alternative plots that may be pending with DDA for more than 3 years should be reviewed at the highest level in the DDA|Delhi Administration and where there are no legal impediments, these should be decided forthwith. They would like a statement of such cases to be furnished to them.

Reply of Government

The DDA have stated that no case of alternative allotment in which the recommendations have been made by the Land and Building Department of the Delhi Administration, has been pending with them for more than three years.

[Ministry of Urban Development O.M. No. H-11013/10/83-DDVA (Vol. V) dated 5-9-1985]

Recommendation (Sl. No. 21, Para 3.54)

During the last 5 years, the performance of DDA in respect of the housing projects has been dismal. It is a matter of regret that the projects should be invariably delayed leading to cost escalation and people made to pay for inefficiency of the organisation. Delays cannot always be attributed to the factors beyond the control of DDA. It is admitted that the projects have also suffered due to DDA's failure to achieve proper coordination with other organisations like the water and electricity agencies. The Committee hope that hereafter DDA would be able to achieve better coordination with other agencies providing electricity and water to the houses constructed by the DDA so as to eliminate delays on that account.

Reply of Government

During the last 5 years, the performance of DDA has been very good on most of the fronts including housing. The annual output of houses has been increased by 400% compared to the earlier years. Inflation is a global phenomina and DDA has no control over the same. The general increase in prices of materials and labour reflects on the cost of houses also, inspite of the efforts to minimise the cost through various measures, like improvement in designs, reduction in plinth area without sacrificing the minimum functional needs, economy in designs, use of minimum essential specifications, consistent with structural safety, use of latest techniques of construction, etc., etc. The delay in construction of projects

are also mostly on account of factors beyond the control of DDA, these are generally as under:—

1. Dispute of land and stay orders obtained from Courts', prolonged litigation etc.
2. Scarcity of essential materials like cement, steel bricks & badarpur, sand, etc.
3. Scarcity of labour particularly skilled labour on account of migration to middle-east countries and various other reasons like harvesting seasons.

However, the observations of the Committee have been noted.

DDA would try its best to have better coordination in future with other agencies for providing electricity, water etc. L.G., Delhi has also set up a High Powered Committee under the Chairmanship of Chief Secretary for ensuring timely implementation of the projects.

[Ministry of Urban Development O.M. No. H-11013/10/83-DDVA (Vol. V) dated 5-9-1985]

Recommendation (Sl No. 22, Para No. 3.55)

Upto March, 1983, DDA constructed 92,540 flats. Yet in respect of as many as 20,630 flats, lower categories, possession had not been given to the allottees. The Committee were assured during evidence that by the end of March, 1984, 60 per cent of the backlog would be cleared and the remaining by June, 1984. This has yet to be cleared even in August, 1984. The Committee find that out of 55,326 persons registered with DDA under General Housing Schemes of 1972, 1973 and 1976 as many as 23,780 persons got their registrations cancelled and out of the remaining 31,546 registrants as many as 1494 persons were still waiting for allotment even after 8 to 12 years of waiting. Similarly in Self Financing Scheme I to IV out of 18,228 registrants as many as 4103 persons were still waiting for flats. This belies the claim of the Vice-Chairman before the Committee during evidence that on an average a house becomes available with in 2½ to 3 years of the date of registration. The Committee attributed this backlog mainly to the fact that no targets were fixed for building houses in the past. They would strongly recommend that henceforth physical targets for completing houses should be fixed and adhered to and for any failings in this regard the responsibility should be fixed not only at junior levels but also at higher levels in the organisation.

Reply of Government

As has already been stated in reply to Recommendation (Sr. No. 11

in Appendix, Para 46 of the Report), DDA has been instructed to properly coordinate the activities relating to construction and allotment of houses. Its method is being streamlined, Commercial system of accounting is being introduced and the recommendations of TATA CONSULTANCY SERVICES relating to arganisation and work will be implemented. In regard to each project, the DDA has been instructed to and PERT charting and close monitoring so as to avoid delays and take remedial measures. The responsibility is being fixed appropriately at all levels in the organisation.

[Ministry of Urban Development O.M. No. H-11013/10/83-DDVA (Vol. V) dated 5-9-1985]

Recommendation (Sl. No. 27, Para 3.60)

After regularisation of an unauthorised colony, the attempt is to provide all the facilities that can be provided. However, the Authority is experiencing difficulties in regard to collecting development charges from the beneficiaries. People want the development charges to be condoned or subsidised and to pay the same in instalments, The Committee is not in favour of the residents of unauthorised colonies reaping dividends for unauthorised occupation of land. They would therefore, like to make the following suggestions in this regard:

(i) There should be firm resolution that funds for the planning and development of these areas would be collected from the beneficiaries only. If the Government decides on these lines and remains firm in collecting the development charges, the money would start flowing in automatically.

(ii) Delhi Development Act should be amended to enable the authorities to collect betterment and development charges before development is effected.

(iii) For sanctioning any amenities like water supply, electricity and roads, etc., a precondition should be laid down that the charges will have to be paid before any such facility could be allowed.

(iv) It could, however, be examined to see how far it. would be possible to phase out payment of development charges in easy instalments.

Reply of Government

The suggestions of the Committee have been noted.

The Delhi Administration has reported that it has been decided to recover development charges at the rate of Rs. 95/- per square

metre from the beneficiaries. However, the entire amount cannot be recovered before the commencement of the development works and recovery will be made in instalments at appropriate stages in phases.

[Ministry of Urban Development O.M. No. H-11013/10/83-DDVA (Vol. V) dated 5-9-1985]

Recommendation (Sl. No. 28, Para 3.61)

On the preventive side, the Committee would like prompt and stringent action being taken against uncrupulous colonisers, individual squatters and DDA's own staff whose responsibility it is to see that unauthorised settlements do not crop up, by making a new law of making suitable amendments to the existing legal framework.

Reply of Government

Necessary amendments in the law for dealing more effectively with the problem of encroachments on public land and unauthorised construction in Delhi have already been made through the Delhi Development (Amendment) Act, 1984, the Delhi Municipal Corporation (Second Amendment) Act, 1984, the Punjab Municipal (New Delhi Amendment) Act, 1984 and the Public Premises (Eviction of Unauthorised Occupants) Amendment Act, 1984 passed by Parliament last year. Amongst other provisions the offences of encroachment on public land and unauthorised construction in Delhi have been made cognisable offences. These Acts would come into force as may be notified by the Central Government for the reason that setting up of the Appellate Tribunals envisaged under these Acts would take some time.

2. Besides, the DDA is also re-organising its land protection wing by introducing zonal system for prevention and detection of encroachments on its land. The DDA also proposes to organise mobile clearance squad for removal of encroachment and to strengthen its watch and ward cell.

[Ministry of Urban Development O.M. No. H-11013/10/83 DDVA (Vol. V) dated 5-9-1985]

Recommendation (Sl. No. 30, Para 4.19)

The Committee are alarmed to find that even though serious irregularities and malpractices are committed by DDA officials on a large scale, yet most of these officials, if not all go scot free. During the period 1978 to 1983 (upto 30 June, 1983), the CBI had investi-

gated 21 cases of serious irregularities/malpractices involving 73 DDA officials and recommended regular departmental action in 4 cases involving 32 DDA officials. These cases related to making of bogus entries of earth filling in re-settlement colony of Trilokpuri and issuing certificates for bogus trips of truck, engaged by contractors. DDA, however, dropped these cases in consultation with the Central Vigilance Commission. Unless it is the contention of DDA that investigations conducted by the CBI were perfunctory, the Committee are unable to appreciate why instead of taking deterrent action against erring officials, DDA dropped these cases. The fact that the Central Vigilance Committee too acquised to this course of action is indeed unfortunate. The Committee are of the firm view that if officials who after thorough investigation by the CBI are found guilty are let off in this matter it will encourage rather than contain corruption in DDA.

Reply of Government

The observations of the Estimates Committee have been noted.

[Ministry of Urban Development O.M. No. H-11013/10/83-DDVA (Vol. V) dated 5-9-1985]

Recommendation (S. No. 34, Para 4.25)

The Committee would also like to stress that an officer against whom major penalty proceedings are proposed to be instituted or are in progress should not be promoted or confirmed until he is exonerated of all the charges against him after the due conduct of disciplinary proceedings against him.

Reply of Government

The observations of the Estimates Committee have been noted by the Delhi Development Authority. Government instructions to this effect already exist.

[Ministry of Urban Development O.M. No. H-11013|10|83-DDVA (Vol. V) dated 5-9-1985]

CHAPTER III

RECOMMENDATIONS/OBSERVATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PURSUE IN VIEW OF GOVERNMENT'S REPLIES

Recommendation (Sl. No. 14, Para 2.44)

Apart from finding a legal remedy to the problem, the Committee feel that it would be worthwhile to try the mechanism of negotiations between a high powered board on the one hand and a body of land owners on the other like the one in existence in Karnataka State. The Committee are confident that if the negotiations are handled with tact and sympathy towards those whose land is to be acquired, it would go a long way in minimising litigation.

Reply of Government

DDA have intimated that in spite of their attempts to negotiate in two or three cases, no workable solution could be reached with the land owners.

[Ministry of Urban Development O.M. No. H-11013/10/83-DDVA (Vol. V) dated 5-9-1985]

Recommendation (Sl. No. 18, Para 2.50)

Under the modified scheme of May, 1970, the Cooperative Grouping Societies will in future be on the Group Housing Pattern. Under this policy about 203 acres was made available to 79 group housing societies from 1975 to 1981. Government decided in 1979 to reopen registration of societies and under this Scheme 453 Cooperative Group Housing Societies were registered. Allotment of 950 acres of land has already been made to 409 societies in different parts of the city. While all this is a welcome trend the committee note that not all these societies will be able to obtain finances to meet their requirements. This in the Committee's view is a serious matter and their failure to find finances is likely to adversely affect the pace of housing activity in the city. The Committee desire that the Ministry of Works and Housing should look into the matter and ensure that adequate

finances are made available to all the societies so that they are able to fulfil the role assigned to these societies in the planned development of the city.

Reply of Government

The cooperative group housing societies who have been allotted land by the DDA, are voluntary organisations. They manage their affairs according to the bye-laws approved by the Registrar, Coop. Societies, Delhi under the provisions of Cooperative Societies Act, 1982. Their responsibility includes taking possession of land, construction of the group housing flats and arranging finances therefor.

2. The Central Government has a policy for encouraging the co-operative group housing societies in Delhi and assist them in all ways possible. The financial assistance to the group housing societies is also being provided by the Delhi Cooperative Housing Finance Society Ltd., New Delhi and Housing and Urban Development Corporation, New Delhi, details of which are given below:—

(i) Delhi Cooperative Housing Finance Society Ltd., New Delhi is an apex cooperative society which provides loan assistance to its members cooperative group housing societies. It has already disbursed loan amounting to Rs. 16.09 crores during the last 3 years to 29 societies for construction of 4097 flats. Delhi Cooperative Housing Finance Society Ltd. has a membership of 978 cooperative group housing societies.

Delhi Cooperative Housing Finance Society is aware of the quantum of their likely demand and they are planning to extend their activities in the Seventh Plan period to provide financial assistance to those who register themselves as Members with the Delhi Cooperative Housing Finance Society. The Society has already undertaken a scheme for raising deposits from members as a resource mobilisation effort. They have also in view a programme for Government guaranteed bonds for substantial amount during the Seventh Five Year Plan period.

(ii) *Housing and Urban Development Corporation, New Delhi* makes available finances both to registered primary cooperative housing societies as well as to State level apex finance societies. The HUDCO has sanctioned loan

of Rs. 5.67 crores to 8 coop. group housing societies in Delhi for construction of 1114 flats. They are also considering cases of 2 more cooperative group housing societies in Delhi for loan assistance for 497 flats. HUDCO has an yearly allocation of loan sanction for States and Union Territories including Delhi in accordance with the area and population criteria. The schemes, however, have to conform to HUDCO guidelines. It has earmarked 55 per cent of the total loan sanction in any year for economically weaker Section and low income group and the remaining 45 per cent for others. It will be prepared to consider cooperative societies' housing schemes for all income categories as per their guidelines.

3. The position explained above, thus, brings out that loan assistance is being provided by the DCHFS and the HUDCO to the cooperative group housing societies in Delhi. Subject to the resource availability with these organisations, the coop. housing societies in Delhi could bank upon the loan assistance from them for construction of flats and to fulfil their assigned role in the planned development of the city.

[Ministry of Urban Development O.M. No. H-11013/10/83-DDVA (Vol. V) dated 5-9-1985]

CHAPTER IV

RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH GOVERNMENT'S REPLIES HAVE NOT BEEN ACCEPTED BY THE COMMITTEE

Recommendation (Sl. Nos. 2, 3 & 4, Paras 1.36—1.38)

The Committee's impressions of a tardy implementation of the Master Plan are confirmed further when they find that out of 139 Zonal Plans only 54 zonal plans had been made upto 15th September, 1983. 17 zonal plans were at that time under consideration of Government for approval under section 9 of the Delhi Development Act, 57 plans were still in the process of modification or screening and 11 plans remained to be modified. Seven of these plans related to Defence and three related to Railways and one plan related to rail zone of Delhi. The Committee fail to understand the argument that failure in this regard has not held up any development as such when it cannot be denied that it is the sum total of the Zonal Plans that makes the overall development plan for the entire city. The Committee feel that this work should have been completed long back and therefore cannot help expressing their displeasure over the tardy progress in this regard. They hope that thing would not be pushed forward with greater speed within a firm time-frame.

Para 1.37

The Committee attach great importance to the preparation of Zonal Plans in respect of Railways and would urge speedy formulation and excecution of these plans.

Para 1.38

In the Committee's view it is also time that a serious thought is given to the Zonal Plans for cantonment area in respect of which the Master Plan had not determined the land use. They recommend that a firm policy should be formulated in the matter and hope this job will be taken up in right earnest at an early date.

Reply of Government

The Master Plan for Delhi envisages development of urban areas in 8 planning divisions having 139 zones. The bulk of the zonal development plans in the core areas have been formulated by the

DDA except for the zones forming part of the Defence Land and Cantonment area and the land owned by railways (used as part of the operational area) such as Old Delhi Railway Station and New Delhi Railway Station.

Finalisation of zonal plans is a statutory process under Section 8 of the Delhi Development Act, 1957. Through a public notice, the draft zonal development plan is published inviting objections|suggestions from the public and the concerned organisations. These objections|suggestions are considered by the Screening Board constituted by the DDA and then the recommendations of the Board are considered by the Authority. After the approval of the Authority, the plan and the report are modified and the draft zonal development plan is sent for obtaining the approval of the Central Government. Some of the factors which have slowed the finalisation of the draft zonal development plan are:—

(i) Large Scale unauthorised construction in number of zones;

(ii) Non-formulation of re-development schemes for the zones forming part of the walled city and other built up areas.

2. The Committee have also desired that preparation of Zonal Plans be pushed forward with greater speed within a firm time frame. In this connection, it may be stated that in the proposed comprehensive amendments to the Master Plan of Delhi which were published on 6-4-1985 for inviting objections|suggestions, a change in the strategy has been proposed for formulation of Planning Divisions and zonal development plans. The urbanisable area of Delhi is proposed to be divided into 15 zones in place of 8 planning divisions. It has been suggested that the zonal plans be prepared only for these 15 zones. The proposed amendments also suggest a mixed land use in the urban areas. After the proposed amendments are processed and notified, action will be taken for the preparation of the zonal plans according to this modified strategy. The preparation of the zonal plans in respect of operational area under railways and the cantonment area would also be taken up as part of the proposed revised concept of zonal plans.

[Ministry of Urban Development O.M. No. H-11013/10/83-DDVA (Vol. V) dated 5-9-1985]

Recommendation (S. No. 5 Paras 1.39 & 1.40)

One of the main objectives of the Master plan was that pending large scale clearance of old city it should be decongested *inter-alia* by shifting the industries to other areas within a specified period.

Little of the aforesaid objectives has been achieved in the 20 years. Only 3,300 units have been shifted to conforming areas. Shifting of industries out of Delhi has not taken place anywhere near the desired levels. As already observed in an earlier recommendation, land development for industrial purpose has been to the tune of 50 per cent of the targets. No wonder the results are no better.

In fact, there is no firm policy in this regard. Nor have any concerted studies been carried out in this direction. Even though it is claimed that such industries as are likely to prove a health hazard are strongly discouraged, it is admitted that MCD|NDMC keep issuing *ad hoc* licences to units set up in non-conforming areas. MCD also issued licences for house-hold occupation which they do not consider non-conforming character. If the major objective of preventing a haphazard growth of Delhi is not to be frustrated and the city population is to be saved from health hazard caused by non-conforming industries the Committee strongly urge that a firm long-term policy should be evolved in consultation with all licensing bodies and the same should be implemented in letter and spirit. Effective incentives and disincentives need to be evolved to achieve positive results in this direction.

Reply of Government

The observation made in para 1.39 has been noted by all concerned including DDA and Delhi Admn.

As regards evolving a firm long-term policy for licensing|locating new industries, the Delhi Administration is coordinating this work. The problem of non-conforming industry is mainly confined to walled city, its extension and Karol Bagh. The DDA have recently published through a public notice, comprehensive modifications to the Master Plan of Delhi with perspective of 2001 inviting objections|suggestions. These areas have been characterised as special areas in the proposed modifications. The objective of the proposed modification is to clean this area from noxious and hazardous industries and trades, to check further commercialisation and industrialisation of this area and to revitalise them. This proposed policy, after consideration of objections|suggestions from public|organisations and its approval by the Central Government, will be implemented by the Administration/concerned organisations.

[Ministry of Urban Development O.M. No. H-11013/10/83-DDVA—(Vol. V) dated 5-9-1985].

Recommendation (Sl. No. 8, para 1.43)

There have been major shortfalls in supply of drinking water and sewage disposal in the past and the provisioning of these basic ameni-

ties has lagged behind the requirements. Drinking water has had to be supplemented to some extent by Ranney Wells, tubewells and hand pumps. Satisfaction in regard to sewage disposal had been a mere 15 per cent in the beginning and even now it stands at 30 per cent only. While almost the entire population of Delhi is being provided with drinking water to the extent of 303 MGD it is being—supplemented by ground water, tubewells and hand pumps. Now when a long term plan is being formulated, the Committee are dismayed over the diffidence expressed by the authorities in conceding that "there will definitely be areas where shortfall will be noticed. They would strongly urge that adequate measures should be taken to monitor implementation of the plans so as to ensure 100 per cent drinking water supply and sewage disposal by the end of the century for the entire population keeping adequate scope to meet any unexpected rise in population in view of the experiences in the past.

Reply of Government

The proposed modified Master Plan for Delhi perspective 2001 contains long term proposals for Delhi's water supply and sewage treatment. It is expected that the Tehri Dam in UP and Kishau, Lakhwar and Giri Dams in H.P. when complete could provide a major share of Delhi's water requirements upto 2001. Another source could be exchange of raw-water for treated effluent with Haryana and U.P. The matter has been taken up with the State Governments concerned and the Ministry of Irrigation. However, unless definite commitment is obtained from the concerned State Governments, it would be difficult to ensure 100 per cent drinking water supply by 2001.

Action is being taken to provide sewage facilities to all residents of Delhi and the sewage treatment capacity is also proposed to be raised to 900 MGD by 2001, which would be almost 100 per cent disposal of the sewage expected to be generated at that time.

[Ministry of Urban Development O.M. No. H-11013/10/83-DDVA—(Vol. V) dated 5-9-1985].

Recommendation (S. No. 9, Para 1.44)

There has also been a major short fall in achieving the targets in regard to hospital requirements in Delhi during the first Master Plan. While even the Plan provided for 4 beds per thousand population, the existing ratio is only about 2.5 beds per thousand population. No wonder that extreme shortages are being experienced in most hospitals in Delhi.

Reply of Government

This observation has been brought to the notice of the Ministry of Health and Family Welfare and Delhi Administration (Medical Department) for taking action.

[Ministry of Urban Development O.M. No. H-11013/10/83-DDVA—(Vol. V) dated 5-9-1985].

Recommendation (S. No. 10, Para 1.45)

The Committee understand that land is being reserved for hospitals to cater for 5 beds per thousand population. In this connection the Committee recommend that all the land required by health authorities for hospitals should be made available to them to enable them to reach the target of 5 beds for thousand population. This should also be viewed in the context of the need for servicing the floating population coming to Delhi from places around Delhi and even from far off areas for treatment. The Committee would further stress 100 per cent implementation of the plans in this regard in the context of shortfalls in the past.

Reply of Government

The DDA had made allocation of land for the hospital sites to the Delhi Administration as indicated below:—

(a) land for Din Dayal Upadhyaya hospital at Hari Nagar.

(b) land for GTB Medical College cum Hospital in Shahdara.

(c) land for a hospital in Rohini.

Two hospital sites have been earmarked in Janakpuri and Pitampura.

The utilisation of these land sites for hospital purposes will strengthen the facilities for medical treatment for the local residents as well as the floating population coming to Delhi from places around.

This recommendation has also been brought to the notice of Ministry of Health and Family Welfare.

[Ministry of Urban Development O.M. No. H-11013/10/83-DDVA—(Vol. V) dated 5-9-1985].

Recommendation (S. No. 16, Paras 2.46 & 2.47)

The urban land policy was enunciated in 1961 especially with a view to 'introducing measures of control on land values and stabilis-

ing land prices in urban areas of Delhi. In actual practice however, DDA has tended to violate the policy in every possible manner. Apart from slow development of land, the methodologies adopted in disposal of land have contributed fully towards phenomenal price rise in the land value as seen in three years. Upto 30th September, 1983, 9849 plots above 200 square yards measuring over 619 acres of land, which forms quite a big chunk of the developed land, have been put to auction a conscious decision. This single action violated the basic policy enunciated in this regard. DDA followed the methods of the erstwhile colonisers, whose speculative activities they were required to put an end to. Plots were deliberately released in smaller numbers at a time to fetch higher and still higher prices. This led to shooting up of prices.

The formula adopted for arriving at predeterminated prices of land for sale has also led to the same results. Land values at predetermined rates have gone up 10 times in last 10—12 years, pre-determined rates which ranged between Rs. 36 to 55 for LIG and Rs. 46 to Rs. 72 for MIG in 1970 have risen Rs. 260 to Rs. 360 for LIG and Rs. 354 to 418 for MIG in 1981. It is seen from the date on analysing the pre-determined rates for area in South Delhi that while the cost of land at pool rates has risen from Rs. 19 in 1977 to Rs. 29 in 1979 and 1981, the development charges have shown phenomenal increase from Rs. 40 in 1977 to Rs. 240 in 1981. The Committee wonder how the development charges could ascalate to such an extent in a period of 4 years. In addition to other charges like overhead and deficiency charges, 100 per cent cost at pool rates is added for sales of plots to MIG at predetermined prices. As if this was not enough an equalisation charge at the rate of Rs. 100| is being charged in South Delhi which means that the man purchasing a piece of land in South Delhi has to pay a part of the land value for those purchasing in other colonies. Most of these charges are unjustified and unauthorised, arbitrary, excessive, smacking of profiteering and in violation of enunciated policy tantamounting to looting the public. Expert bodies who have examined these aspects of disposal of land by DDA have come to the same conclusion. The Committee strongly recommend that policies adopted by DDA in disposal of land should be re-examined by an outside body of experts with a view to eliminating profiteering and levying of unjustifiable charges.

Reply of Government

The observation of Estimates Committee that large portion of developed land has been put to auction by DDA resulting in upward trend in land prices is not bornesout by facts. The total area of land auctioned by DDA comes only to 619 acres as against about 23,000

acres of land utilised for residential purposes. The lands for residential purposes have been allotted, by and large, on pre-determined rates consisting of the cost of acquisition, Development charges and additional charges at fixed rates. The pre-determined rates at which allotment is made to persons belonging to MIG, may be a little higher than the rates of premium fixed for plots allotted to the persons of LIG.

2. The scheme of Large Scale Acquisition, Development, and Disposal of Land in Delhi stipulates that as a general policy, disposal of developed land should be made by auction and the premium should be determined by the highest bid except in certain cases where the land may be allotted at pre-determined rates. The 'pre-determined rates' consist the cost of acquisition and development plus additional charges fixed for different slabs as prescribed in the Scheme itself.

3. The 'pre-determined rates' have also been defined in Rule 2(2) of the Delhi Development Authority (Disposal of Developed Nazul Land) Rules, 1981. According to this definition the pre-determined rates are the rates of premium chargeable from different categories of persons and determined by notification, from time to time by the Central Government having regard to (a) the cost of acquisition, (b) development charges, & (c) concessional charges for use and occupation fixed for different slabs of residential & industrial plots. The pre-determined rates for the persons belonging to middle income group may be higher than the rates of premium fixed for plots allotted to the persons in the low income group. There is also a proviso in the rules that in fixing the pre-determined rates of premium, the Central Government may fix a higher rates of premium for plots situated on main roads, corners of two roads or at other vantage positions, than the rates of premium fixed for plots situated far away from the main roads.

4. DDA has intimated that the following charges are also added to the cost of development while calculating the development charges:—

(a)	Beautification/green area charges:	. These charges are added at the rate of Rs. 2/- per sq. yd. of the gross area.
(b)	Urban Village Development Charges	. These charges are added at the rate of Rs. 1/- per sq. yd. of the gross area.
(c)	Zonal Road Charges	. These charges are added at the rate of Re.1/- per sq. yd. of gross area.

5. In addition to the charges prescribed under the scheme/rules, DDA also levies equalisation charges at the rate of Rs. 100/- per sq.

mtr. for the areas in South and Central Delhi and Rs. 50|- per sq. mtr. for the areas in West and North Delhi to cover the extra cost for development inclusive of the charges incurred on bringing the services from long distances, etc., to East Delhi & other areas. These charges are also levied for making temporary arrangements for services like water and sewer.

6. Observations of the Estimates Committee that the levy of equalisation charge is unjustified, unauthorised, arbitrary, excessive and smacking of profiteering do not appear to be justified on an appreciation of the complete background of the principles behind this policy. On account of acute scarcity of land in Delhi, DDA is required to develop certain pockets of land and provide peripheral services in rocky areas or in the areas having quarry pits where substantial extra cost is involved in levelling, dressing, excavation of rocks, etc. It is a well known fact that the development of land in undeveloped and far off areas where the cost of peripheral services and internal services are higher vis-a-vis similar services in more developed land, calls for higher financial outlays. Similarly in certain areas, the cost of development is much higher on account of longer leads of bulk services, necessity of making interim arrangements, poor soil conditions and terrains being rugged and undulating. DDA incurs lower cost of services for developed areas which are more popular as compared to less developed areas. If the actual cost of development is charged in all the areas including the far off areas where consumer preference is very low, the consumers will have to pay much higher prices in the far off localities (where Janta & EWS house are constructed) than in the preferred areas. In order to ensure uniform development of all the localities, the device of equalisation charges has been introduced by DDA with a view to provide for an adjustment by which additional charges are realised from persons who can afford to bear the cost, in order to subsidise the cost of housing in EWS and Janta categories. The levy of equalisation charges is intended to help the weaker sections of the Society opting to move out to newly developed areas.

While fixing the pre-determined rates, DDA ensures that the cost of development is equalised without keeping any margin of profits. The recorded views of former Vice-Chairman, DDA justifying the levy of equalisation charges are given in the annexure I.

7. Sometime back a Committee of experts was appointed by the Central Government, known as 'Baweja Committee', to go into the working of DDA. The Committee did not make any specific recommendation in regard to the fixation of pre-determined rates. As such

there appears to be no need for reviewing the formula for fixation of pre-determined rates, nor for an outside body of experts to go into the matter.

[Ministry of Urban Development O.M. No. H-11013|10|83-DDVA (Vol. V) dated 5-9-1985]

Recommendation (Sl. No. 17, Paras 2.48 & 2.49)

The disposal of land by auction is governed by Rule 29 of the Land Rules 1981 which provides that "the highest bidder whose bid has been confirmed shall pay the balance amount to the authority within fifteen days of acceptance of the bid or within such period as the Vice-Chairman may specify in the public notice under Rule 27 or in other public notice." From the data furnished to the Committee it is seen that of about 2350 plots (commercial, industrial, residential) in 1793 cases the parties made full payment within the stipulated time. In remaining 557 cases the payments were received belatedly. Evidently in cases where delays has taken place the discretion available to Vice-Chairman under Rule 29 has been made use of. Although DDA did not incur any loss thereby as they charged the bank rate of interest for the period of delay (which often ranged between 3 to 4 months), the Committee note that no uniform policy has been followed in the matter in the absence of any guidelines laid down in this behalf. A tendency is seen among some bidders that after the expiry of the relaxed period they again make representation to Government and are thus able to extract further time relaxation which is not, desirable. It is possible that some bidders do not bid precisely because they thought that it would be difficult for them to procure the balance amount within the stipulated period. This is against fair competition. Further in a matter of exercise of discretion there is always a scope for malpractices.

The Committee recommend that suitable guidelines be evolved in this regard so that the prospective bidders are clear about the consequences they might have to face in cases of delay in making payment.

Reply of Government

The existing Rules are very explicit and lay down clearly the consequences which the bidders have to face in the event of any delay in making the payment of the balance of the bid amount. However, keeping in view the fact that DDA/Govt. may like to relax these rules

in deserving cases, the Government is considering amendment of the provisions of the Delhi Development Authority (Disposal of Developed Nazul Land) Rules 1981 suitably to give limited powers to the Vice-Chairman, DDA for granting extension of time for payment of balance premium by the successful bidders.

[Ministry of Urban Development O.M. No. H-11013/10/83-DDVA (Vol. V) dated 5-9-1985]

Recommendation (Sl No. 23, Para No. 3.56)

From the data furnished by the Ministry/DDA had analysed in this Report it is seen that the escalation in the prices of flats has been so fast during the last ten years that it has risen three times in case of MIG & 5½ times in case of LIG and 3 times in case of Janata Categories. It is noted that the price range for Janata flats in 1982-83 is at the level of prices prevailing for MIG flats in 1972-73 with one third of the plinth area of MIG flats at that time. In the works of the Expert Committee, 1978, the prices have reached a point where the people of the economic group for whom the flats were meant cannot afford them. In this connection the Committee find that a Committee was appointed for 'Review of Specifications and Planning of Economy of cost structure of House' by the Vice-Chairman, DDA. The Committee find that this Committee has made an attempt to reduce costs of flats by compromising on quality and comfort. The committee deplore this approach of DDA in the matter and would like the Ministry/DDA to try to find the solution of the matter by streamlining the organisation of DDA, reducing wastage avoiding uneconomic purchases and by reducing the overheads and cost of land development by eliminating arbitrary and unauthorised charges pointed out by the Committee elsewhere. The Committee would strongly urge upon government to give serious thought to the matter so that the objective of providing houses at an economic cost which was the main plank of policy of government was achieved in the concrete sense of the term.

Reply of Government

Noted for compliance by the DDA.

[Ministry of Urban Development O.M. No. H-11013/10/83-DDVA (Vol. V) dated 5-9-1985]

Recommendation (S. No. 24, Para No. 3.57)

The Committee have already pointed out in their 85th report the quality-wise deplorable state of houses constructed by DDA. A series of collapses of the houses constructed took place resulting also in loss of some lives. According to the Report of the Committee appointed by government recently it was found that over 5000 houses constructed by DDA in recent years were "not structurally sound" and the quality of another 5000 was found to be "very poor". That Committee had pointed out that "it was not possible to obtain structural strength and durability in these houses which they would have got if the initial construction was sound". The Committee appointed by Lt. Governor as well as this Committee had in its 85th Report suggested some remedies. In addition, the Committee feel that one of the factors responsible for low quality control is the lack of responsibility therefore at the higher levels. The Committee understand that the responsibility for quality control has not been laid down specifically on the higher levels of the engineering heirarchy such as the Superintending Engineer, the Addl. Chief Engineer and the Chief Engineer. The Committee are of the view that unless responsibility is specifically laid down on these officials no worthwhile results are likely to be achieved. If only speed and coordination aspects were to be watched at these levels, such duties could well be performed by non-technical officials. The Committee recommend that Government should examine this aspect of the matter in depth and initiate appropriate steps to ensure that such responsibility is laid down clearly and specifically at all levels including the Superintending Engineer, Addl. Chief Engineer & Chief Engineer.

Reply of Government

Duties and responsibilities of various Engineering Officers have been clearly spelt out in the CPWD 'D' & 'A' codes extracts of which are given in the Annexure II and these have been adopted in DDA also. The rules and regulations incorporated in these codes have been formulated on the basis of long experience over several decades of the working of the premier Public Works Department after taking into account the various aspects of actual functioning in the field. Responsibilities of individual officers have to be laid down on the basis of various duties and functions entrusted to them, magnitude of their field of operations, time and attention which can possibly be devoted by officers at different levels to a particular work etc., etc., DDA,

therefore, considers that the existing provisions in the codes and manuals laying down the responsibility at various levels, are quite adequate.

[Ministry of Urban Development O.M. No. H-11013|10|83-DDVA (Vol. V) dated 5-9-1985

Recommendation (S. No. 25 Para No. 3.58)

At present according to the existing rules DDA is responsible for defects brought to its notice within 3 months. A structural defects is the responsibility of DDA and the purchaser could point out any time minor defects for which DDA was bound for six months. Since the purchase of a house involves commitment of the life time savings of a purchaser, the Committee feel that 3 months or even six months is too short time for DDA to relinguish its responsibility for any latent defects. The Committee suggest that the time limit in this regard should be extended to cover atleast two monsoon seasons following the allotment of the house.

Reply of Government

Day to day maintenance and repair of houses are to be done by the allottees themselves or by their Welfare Agencies. Any defect that crop up due to lack of repair of the houses, is also the responsibility of allottees. It will, therefore, not be justifiable to extend the time limit for responsibility for rectification of the defects to two monsoon seasons. The existing limit of six months for rectifications of the defects is considered quite appropriate and adequate.

[Ministry of Urban Development O.M. No. H-11013|10|83 DDVA (Vol. V) dated 5-9-1985]

Recommendation (S. No. 26, Para No. 3.59)

The Committee are surprised that while DDA is building thousands of houses in Delhi and proposes to build houses on a much larger scale in the years to come, yet to no study has been made to see whether architectural designs used in construction of houses for various income groups were attractive and functionally suited to the cultural background of an average Indian family, suiting also the climatic conditions prevailing in Delhi. The Committee feel that this should have been the starting point of the house building activities taken up by DDA. The Committee recommend that such a study should be

undertaken by an expert team with which representatives of the Delhi Urban Arts Commission and some reputed colonisers should also be associated.

Reply of Government

The recommendation of the committee for conducting study of the houses has been accepted by DDA.

[Ministry of Urban Development O.M. No. H-11013|10|83 DDVA (Vol. V) dated 5-9-1985]

Recommendation (S. No. 31, Para Nos. 4.20 & 4.21)

A glaring example of the extent to which DDA can go to shield their official is provided by the case of an Additional Chief Engineer of DDA. While acting as an Arbitrator this officer is stated to have awarded Rs. 2.62 lakhs to a contractor without giving proper opportunity to the respondent (DDA). Though Chief Legal Advisor of the DDA himself was of the opinion that the said officer's conduct as an Arbitrator amount to gross misconduct, no action was taken against him. In another case, works regarding construction of 120 LIG houses in Tamoor Nagar and 180 MIG houses in Phase III Ashok Vihar executed under the supervision of same officer were, on inspection, found to be defective and sub-standard in many respects. He was placed under suspension but later on the order of suspension vas revoke by the Central Government on 27-12-1979 on the plea that t was not clear whether the Vice-Chairman of DDA or even the Lt. Governor was competent to suspend him. Central Vigilance Commission have advised major penalty proceedings against the same officer for lapsed while working as Executive Engineer in Municipal Corporation.

However, when MCD closed the cases against their own officials who were involved in these lapses alongwith this officer, MCD suggested the closure of cases against him as well. DDA thereupon requested to CVC to treat the case against this officer as closed but CVC did not accept this stand and mentioned that in view of DDA's reply, they would be constrained to include in their Annual Report this case as a case on non-acceptance of Commission's advice. Even this mild warning has had no effect on DDA who approached the CVC again to reconsider the matter. CVC reiterated its stand and stuck to its ground. What is more amazing is that even after Lt. Governor had passed orders on 14-7-1983 for initiating major penalty proceedings, DDA did not do so on the plea that the officer had represented

against the proposed proceedings. These developments clearly show that if corruption has stuck deep roots in DDA, it is no wonder, DDA for itself to blame for it. Unless DDA stops shielding its officers in their acts of omission or Commission, corruption can never be eradicated.

The Committee would like to be informed of the progress of the proceedings against this officer (a) in the case pertaining to his role as arbitrator, (b) in the case where certain works carried out under his supervision were found defective and sub-standard and (c) in the case pertaining to the period when he was an Executive Engineer in the Delhi Municipal Corporation.

Reply of Government

(a) *Role of the officer concerned as arbitrator.*

The Delhi Development Authority have informed that the entire issue has been examined and it has been found that the conduct of the arbitrator was also one of the issue framed by the High Court in an appeal filed by them (DDA), against the decision of the arbitrator. The Hon'ble High Court held that the award was made a rule of the Court and it was specifically held that the Arbitrator had not misconducted himself and the various claims awarded by the Arbitrator were justified on merits and the material available on record.

(b) *Defective and sub-standard works carried out under the supervision of the officer*:—

DDA have informed that the draft charge-sheet has already been submitted to the competent authority for approval.

(c) *Case pertaining to the period the officer was an Executive Engineer in Delhi Municipal Corporation*:—

The Government has requested the Chief Vigilance Officer, Delhi Development Authority to expedite serving of charge-sheet without any further delay.

The officer concerned has obtained a stay from the court against taking any action against him in respect of case mentioned against (b) and (c) above.

[Ministry of Urban Development O.M. No. H-11013|10|83 DDVA (Vol. V) dated 5-9-1985]

Recommendation (S. No. 32, Para Nos. 4.22 & 4.23)

The Committee cannot look with equanimity the fact that when the house built by the Director (Personnel) (originally assessed Rs. 1.18 lakhs by a private valuer and accepted by Delhi Administration & Income Tax Department as such), was, at the instance of the Committee, reassessed by CPWD as Rs. 1.40 lakhs, the Secretary DDA went out of the way and made several written representations to the CPWD with a view to have the value of the house reduced to which the CPWD did not react favourably. The Committee fail to understand why the Secretary, DDA took undue interest in this case and took upon himself a role which more appropriately lay with the aggrieved party, that is the Director (Personnel) himself.

4.23 The Committee have received representation alleging that in building his house the Director (Personnel) of the DDA indulged in corrupt practices by accepting help in the shape of men and material from a senior officer on the engineering side of the DDA in return for favours shown to him in administrative matters. Besides, despite revaluation of his newly constructed house done at the instance of the Committee, the Committee still have a lurking doubt about the genuineness of the value (Rs. 1.40 lakhs) attributed to the house. In these circumstances the Committee would like the investigation in this case to be entrusted to the Central Bureau of Investigation.

Reply of Government

4.22 The Secretary, DDA did not take undue interest in this case, as it was the Vice-Chairman who desired him (Secretary) to make a back reference to the SE, CPWD. As the Secretary is the Authorised Officer for the submission of replies to various Parliamentary Committees of the Central|State Governments, the Secretary of the Organisation, merely conveyed the views of the DDA in the case of Shri A. K. Paitandy.

4.23 According to the assessment made by the DDA, there appears to be no scope to doubt the initial valuation report accepted by the competent authority and Income Tax Authorities because of overwhelming evidence as detailed below:

1. Consistency between the original estimated cost and the final valuation;

2. The completion of the super-structure of the house by the first week of April, 1981 when the rates of the materials had not registered any unusual increase;

3. Vertical construction on a small plot of 125 sq. yds.;

4. The fact that cost on account of sanitary and electrical installations is not normally as high as 25 per cent;

5. Varying nature of market rates not always conforming to the standard rates mentioned in the DSR; and

6. The absence of a fixed amount of development charges in case of private societies.

DDA is also reported to have checked and examined the records in detail and these do not indicate that Shri Paitandy has shown favour to anyone in the absorption issue. There appears to be no occasion for this Ministry to doubt the objectivity and integrity of the former Director (Personnel) in administrative matters.

[Ministry of Urban Development O.M. No. H-11013|10|83-DDVA (Vol. V) dated 5-9-1985]

Recommendation (S. No. 33, Para No. 4.24)

The Committee find that even where DDA did take some action against its officials, it was not commensurate with the gravity of the offence committed. To quote only one example, DDA's Assistant Director (Horticulture) was found to have purchased sub-standard and motheated "ballis" to provide fancing in Janakpuri area. Deputy Director (Horticulture) was responsible to carry out a sample check of the "ballis" in question. Both were let off with a recordable warning. In another case, Deputy Director (Horticulture) along with an Accountant were found to have changed the rate from 60 per cent to 96 per cent both in the Tender Form and the Tender Opening Register in connection with the work relating to water supply lines for Pitampura District Parks. In this case too only recordable warnings were issued. In yet an other case, the same officer is alleged to have been responsible for lifting of earth from a site in Rohini Project substantially and unauthorisedly. Major penalty proceedings are stated to be already in progress. Meanwhile 8 more complaints stated to have been received against this very officer. The Committee would recommend that an officer against whom persistent complaints are being received should be dealt with sternly. Such an officer does not deserve any leniency.

Reply of Government

The recommendations of the Committee have been noted.

[Ministry of Urban Development O.M. No. H-11013|10|83-DDVA (Vol. V) dated 5-9-1985]

CHAPTER V

RECOMMENDATIONS|OBSERVATIONS IN RESPECT OF WHICH FINAL REPLIES ARE STILL AWAITED

Recommendation (S. No. 12, Para 1.47)

The Committee understand that land provisions for Railway Stations such as to convert the existing stations into terminals have been made with a 20 year perspective. The Committee feel that this is too short a period for making provisions for such a vital utility and recommend that a provision should be made in the plan with a 50 year perspective with a view to forestalling any adverse situation lateron.

Reply of Government

The recommendation has been brought to the notice of Ministry of Railways. As far as the DDA is concerned it is felt that the 50 years perspective of traffic and transportation for Delhi would require a third railway terminal at Brar Square and 4th railway terminal at Patparganj in due course of time.

These proposals are at 'suggestion' stage and would need to be gone into in details by the DDA and the Ministry of Railways at the appropriate time.

[Ministry of Urban Development O.M. No. H-11013|10|83-DDVA (Vol. V) dated 5-9-1985]

Recommendation (S. No. 29, Para 3.62—3.64)

There are about 46 re-settlement colonies housing a population of about 10 lakhs. It is estimated that about 1.5 lakh people migrate to Delhi in search of livelihood every year and only a very small section of population gets absorbed in the housing stream. Sometimes these people are working for private contractors and the private contractors provide a temporary shelter to them. But when the work finishes, instead of going back, they seek work elsewhere in Delhi itself. In 1975, the number of such squatter families was 1.7 lakhs. 1.5 lakh families were rehabilitated in the first lot of resettlement colonies. At that time, only 25,000 families were still squating on other land which had to be rehabilitated. But the number of squatter

families by the end of 1982 became 1.5 lakhs again. So, we have reached the point from where we started even after rehabilitation of 10 lakh people.

While the ultimate solution to the problem lies in creating counter magnet centres for attracting people away from Delhi, in the short run providing the squatters shelter with minimum facilities becomes incumbent on authorities in Delhi and the job done in this direction has been commendable. However, as feared by experts these colonies are developing into slums. A dwelling unit was earlier intended to provide accommodation to a family of 2 or 3 members. It is now occupied by 2 or 3 families. The nature of such facilities as (i) one water connection for 22 families, (ii) one WC seat for 7 families, (iii) one dispensary for 20 thousand population, (iv) and a hospital for 1.5 lakh population are already far below the minimum norms. These have now been rendered utterly inadequate in view of the increase in population in these colonies. Ways and means will have therefore to be found urgently if these colonies are not to be allowed to degenerate into worst ever slums. In this connection the Committee note that hitherto DDA was incurring Rs. 15 crores per annum to maintain the 44 resettlement colonies. They have however been informed by the representative of the Ministry that a decision has been taken to transfer the maintenance of these colonies to the M.C.D.

Whether with DDA or MCD, the Scheme has gradually to be made self-sustaining and could not be left to remain a permanent burden on the public exchequer which is bound to escalate in course of time. The Committee hope that Government will devise a method of recovery of charge from the allottees which is reasonable, yet not too harsh on the allottees.

Reply of Government

The specific time and modalities of transfer of maintenance of resettlement colonies from DDA to MCD is still under consideration of the Government.

[Ministry of Urban Development O.M. No. H-11013|10|83-DDVA (Vol. V) dated 5-9-1985]

ANNEXURE I

ANNEXURE TO REPLY OF GOVERNMENT IN RESPECT OF RECOMMENDATION NO. 16—PARAS 2.46 & 2.47 OF THE 87TH REPORT OF THE ESTIMATES COMMITTEE

The basic policy that we have been following so far in regard to pricing of the houses is on no-profit-no-loss basis. The idea is that we should be able to recover all our costs including our overheads etc. & make no loss. This policy could have been followed without any hitch so long as the number of houses built by us continued to be modest in number & were confined to some limited number of pockets. However, when we have expanded our activities & are simultaneously constructing a large number of house in various areas, then we are up against the problem—there is a definite consumer preference for certain pockets|areas. Frankly speaking, any house in South Delhi enjoys the highest consumer preference as compared to other areas. However, increasingly we have to go towards other areas and when we take up such works, the cost of peripherial services and internal services *vis-a-vis* similar services in more developed areas will be higher. Therefore, at a place where the consumer preferenec is less, we are saddled up with higher cost & *vice-versa.*

When we look at ourselves as an authority marketing a house, it will be necessary for us to take into consideration the consumer preference also, so our policy for pricing should be determined by this factor as well as by the actual cost incurred by us because in the given circumstances we have to incur lower cost of services for such preferred areas as compared to less popular areas. If we do this, it will lead to a situation where we will be equalising the price (more or less on flats offered in various areas). Apparently, this will mean that such areas where we have incurred relatively less cost of services on the one hand are enjoying a higher consumer preferences on the other hand the allottees will be able to pay a higher cost; likewise the other areas with lesser consumer preference should be made available at a slightly lesser price. This adjustment should be done through an equalisation fund.

Reply of Government in respect of recommendation (S. No. 24, Para No. 3.57)

SECTION III—DUTIES OF OFFICERS OF THE CENTRAL PUBLIC WORKS DEPARTMENT

A—CHIEF ENGINEER

28. The Chief Engineer is responsible to the Ministry of W.H. & S. for the efficient administration and general professional control of Public Works within its jurisdiction, and is its chief professional adviser in all matters connected with them. He will exercise full technical and supervisory control over Additional Chief Engineers, the Chief Architect and all other Officers working in the Department.

29. It will be the duty of the Chief Engineer to recommend to the Ministry of W.H. &S transfers and postings of Additional Chief Engineers and Superintending Engineers. Transfers of Divisional Officers and of other establishment are within his competence.

30. The Chief Engineer will exercise a concurrent control, with the Audit Officer, over the duties of the officers of the department in connection with the maintenance of accounts, and will give all legitimate support to the Audit Officer in enforcing strict attention to the regulations concerning the disbursement of money, the custody of stores and the submission of accounts. He will have no authority over the Audit Officer in regard to Audit matters, but will have a claim on him for assistance and advice in matters relating to accounts and finance. He will arrange that the Audit Officer is kept fully cognizant of all proceedings and proposals, to enable the latter to fulfill his functions.

31. The Chief Engineer will prepare, annually, the portion of the budget estimates relating to the works under his control. It will be his duty to administer the grant; and, with this object, to keep a close watch, over the progress of the expenditures against it with a view to seeing that no excess is permitted to occur, and that if additinal funds are necessary, Application for the same is made. It will, further, be his duty to see that the grant is fully expanded in so far as is consistent with general economy and the prevention of large expenditure in the last months of the year, and that any money that is

not likely to be needed during the year is promptly surrendered so as to allow of its appropriation for other purposes by the proper authority.

32. The general supervision and control of the assessment of revenue from irrigation works, and other sources within the limits of his charge, will rest with the Chief Engineer, who will frame the necessary estimates and watch carefully the progress of the realizations during the course of the year.

A-I ADDITIONAL CHIEF ENGINEER

33. The Additional Chief Engineer will exercise full powers of the Chief Engineer for purposes of execution of works and is responsible to Government for the efficient carrying out of all works in his administration and for accounts partaining to all such works. The duties of the Chief Engineer specified in paras 30 to 32 *ibid* will *mutatis mutandis*, devolve on the Additional Chief Engineer within his zone.

B—SUPERINTENDING ENGINEER

34. The administrative unit of the department is the circle, in charge of a Superintending Engineer. The Director of Horticulture at New Delhi will function as Superintending Engineer in respect of Horticulture works.

35. Subject to any orders of the Ministry of W.H.&S. the transfers and postings within his circle of establishment other than of Divisional Officers and Accountants, may be made by the Superintending Engineer on his own authority.

36. The Superintending Engineer should examine the books of Divisional Officers and their, subordinates, and see that matters relaing to the primary accounts are attended to personally by the Divisional and Sub-Divisional Officers and that the accounts fairly represent the progress of each work. It will also be his duty to examine the registers of work, and, when he considers it necessary, he may require a Divisional Officer to report to him monthly or at longer intervals, on a works slip, the total expenditure to date under each sub-head of a work, in contrast with the sanctioned estimate. It will thus be seen that it rests with the Superintending Engineer to investigate excesses over sub-head with a view to deciding whether or not a revised estimate will be required for the work. When a revised estimate is required, it will also devolve on the Superintending Engineer to see that it is submitted in time to the sanctioning authority and also paragraphs 46 and 75.

37. (a) It will be the duty of the Superintending Engineer to inspect the various works in progress within his circle, and to satisfy himself that the system of management prevailing is efficient and economical, that the different stores are duly verified according to the rules laid down, and that there is no accumulation of stock in any division beyond its requirements. He should record the results of his inspection of the works as frequently as considered necessary and ensure that the defects pointed out on each occasion are promptly rectified. Before final payment against a contract of Rs. 5 lacs and over for building works is made the Superintending Engineer is required to record the following certificates:

> 'I have inspect the work of———————— contract value of which Rs. ———————— vide agreement No. ———————— today. As a result of this inspection and my previous inspections, I find that the work has been carried out generally to specifications and has been completed satisfactorily. There are no noticeable defects, except for the following:—
>
> 1.....
>
> 2.....
>
> These defects should be rectified by the contractor or by the department at his cost, action for which should be in terms of the contract."

He is also required to record the above certificate in respect of contract for building works exceeding Rs. 2 lacs where such contract is in respect of a technically sanctioned estimate of Rs. 5 lacs and above. In the case of sanitary, electrical and horticulture works Superintending Engineer concerned or the Director of Horticulture as the case may be, are, however, required to record such certificates against all contracts of Rs. one lac and over.

(b) The Superintending Engineer is also responsible that no delay is allowed to occur in the submission of completion reports. He should, further, so far may be possible, inspect periodically all important public buildings and other works within his jurisdiction.

38. The Superintending Engineer will inspect the divisional offices at least once a year and record the results of such inspection in the prescribed form. He is also required to satisfy himself, from time to time that the staff employed in each division is actually necessary and adequate for its management.

39. The Superintending Engineer is required to make it his special duty during his tours to see that measurement books are carefully kept and measurements properly recorded, and that they are complete records of the actual measurements of each kind of work done for which certificates have been granted. He should also see that any orders of the Ministry of W.H. & S. regarding check measurements are duly observed.

40. The supervision and control of the assessment of revenue from irrigation works and other sources within his circle will rest with the Superintending Engineer.

41. The Superintending Engineer is authorised to correspond direct with any of the local authorities. civil or military, within the area of his jurisdication.

C.--DIVISIONAL OFFICER

42. The executive unit of the Department is the division, in charge of a Divisional Officer, who is responsible to the Superintending Engineer for the efficient execution and management of all works within his division. It is therefore, part of his duties to organise and supervise the execution of works and to see that they are suitably and economically carried out with materials of good quality The Deputy Director of Horticulture will function as Divisional Officer in respect of horticulture works and is similarly responsible to be the Director of Horticulture.

43. Subject to the orders of the Superintending Engineer, a Divisional Officer may transfer establishment (other than Sub-Divisional Officers) from one station to another within his division.

44. The Divisional Officer, as the primary disbursing officer of the division, is responsible not only for the financial regularity of the transactions of the whole division but also for the maintenance of the accounts of the transactions correctly. He is, therefore, required to take the necessary steps for obtaining cash for the works under his control, to keep accounts, and to submit them punctually to the Audit Officer under the rules for the time being in force. He is responsible for the arrangements for accounts keeping, in which matter he will be assisted by his Divisional Accountant and he must see that his accounts are posted from day to day and that the Accountant carries out his duties regularly and punctually. The responsibility for the correctness, in all respects, of the original records of cash and stores, receipts and expenditure, as also for seeing that complete vouchers

are obtained rests with the Divisional Officer, who will before submitting the monthly accounts, carefully examine the books, returns and papers from which the same are compiled.

45. The Divisional Accountant is responsible to the Divisional Officer for the correct compilation of the accounts of the division from the data supplied to him. The relative position of the Divisional Accountant to the Divisional Officer in respect of accounts is analogous to that of a Sub-Divisional Officer to a Divisional Officer in respect of works, and the responsibilities of the latter for the work of the Divisional Accountant are similar to those which attach to him in respect of the execution of works in the charge of his other subordinates also Central P.W.A. Code paragraphs 20 to 25.

46. The Divisional Officer is held primarily responsible for affording information in cases of probability of excess of actual over estimated cost of work, and should report any such probability to the Superintending Engineer at once, describing the nature and cause of the excess and asking for orders. This report should be made on the "Work Slip" Form. Divisional Officers must also submit the works Slip, with such explanation as will enable the Superintending Engineer to pass orders on the case, on the occurrence, or the probability of the occurrence, of any irregularity in the rate or cost of a sub-head. All important liabilities not brought to account should also be noted on the Work Slip.

NOTE:—It is unnecessary for the Divisional Officer to submit the Work Slip in cases in which he can pass finally excesses over estimates under paragraph 77.

47. The Divisional Officer is required to inspect, at least once a year, the more important buildings and works in his division, and is responsible that proper measures are taken to preserve them and to prevent encroachment on Government lands in his charge. He should keep accurate plans of all such lands and take care that his subordinates make themselves acquainted with the boundaries and see that they are respected.

NOTE:—A Divisional officer must keep on record in his office the following plans, or such of them as are required in his division:—

(i) Complete plans, sections and elevations of every building or other work under his charge as actually constructed. any subsequent alteration being carefully noted. The boundaries of the ground attached to any buildings should be distinctly shown.

(ii) Plans of roads under his charge, showing the quarries whence metal is obtained.

48. Immediately a work is finished, it is the duty of the Divisional Officer to close the accounts of it in the manner indicated in paras 288 to 293 of C.P.W.A. Code and to prepare the completion report if required by rules in paragraphs 106 of this Code. If there is necessarily delay in closing the accounts, it should be seen in particular that further charges are not incurred without the permission of the Divisional Officer.

NOTE:—When it is decided to abandon a work, the accounts relating to the work should be closed as soon as possible after such decision is reached.

49. A Divisional Officer is required to report immediately to the Superintending Engineer any important accident or unusual occurrence connected with his division and to state how he has acted in consequence and also paragraph 99.

50. It is the duty of the Divisional Officer to administer the grant made for public works in his division and, with this object, to keep a close watch over the progress of expenditure against it with a view to seeing that no excess is permitted to occur. He should accordingly keep himself informed of such circumstances as may affect the progress of expenditure, in order to take timely steps for obtaining extra funds or surrendering probable savings, as may be necessary. The Divisional Officer should also take necessary steps to reconcile the expenditure recorded in his books with that in the books of the Audit Officer in the prescribed manner.

51. The Divisional Officer is responsible for the detailed assessment of the revenue to be obtained from irrigation works and other sources within his division, and will maintain such records and accounts for the purpose as may be prescribed.

52. A Divisional Officer can receive orders only from his Chief Engineer, Additional Chief Engineers, Superintending Engineers, the Ministry of W.H. & S. or other civil officer duly authorised.

D—SUB-DIVISIONAL OFFICER

53. The Division is divided in the sub-divisions in charge of sub-divisional Officers (Assistant Directors in case of Horticulture) who are responsile to the divisional officer for the management and efficient execution of works within their sub-divisions.

54. (a) The Sub-divisional officer is required to maintain the initial account records of cash and stores under his charge as well as Works Abstracts, with certain accompaniments, for each work, in progress in the subdivision under the rules for the time being in force. He should ensure that all accounts returns are submitted punctually to the Divisional Officer and are correct in all respects.

(b) The sub-divisional officer is responsible that the value of stores sold to municipalities, Local Funds and the Public, and issues made to contractors for private use, under the orders of the competent authority recovered in cash in advance. He is also responsible for clearance from works accounts, of all outstandings against contractors on account of the recoverable value of materials issued and services rendered to them by charge to works.

(c) As the accounts of works are based on (a). The Muster Roll and (b) the Measurement Book, it is an important function of the sub-divisional officer to see that these initial records are written up neatly in accordance with prescribed rules to avoid all doubts and their authenticity.

APPENDIX

(*Vide* Introduction)

Analysis of Action taken by Government on the 87th Report of the Estimates Committee (Seventh Lok Sabha)

I.	Total number of Recommendations	34
II.	Recommendations/Observations which have been accepted by Government (Nos. 1, 6, 7, 11, 13, 15, 19, 20, 21, 22, 27, 28, 30 and 34)	14
	Percentage to total	41%
III.	Recommendations/Observations which the Committee do not desire to pursue in view of Government's reply (Nos. 14, 18)	2
	Percentage to total	6%
IV.	Recommendations/Observations in respect of which Government's replies have not been accepted by the Committee (Nos. 2, 3, 4, 5, 8, 9, 10, 16, 17, 23, 24, 25, 26, 31, 32 and 33)	16
	Percentage to total	47%
V.	Recommendations/Observations in respect of which final replies of Government are awaited (Nos. 12 and 29)	2
	Percentage to total	6%

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